

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, NOVEMBER 22, 2002, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.**

**I. CALL TO ORDER**

Chairman Billy Hair called the meeting to order at 9:00 a.m., Friday, November 22, 2002.

=====

**II. INVOCATION**

Mr. Van Johnson gave the invocation.

=====

**III. PLEDGE OF ALLEGIANCE**

All pledged allegiance to the flag of the United States of America.

=====

**IV. ROLL CALL**

The Clerk called the roll.

PRESENT:	Dr. Billy B. Hair, Chairman Dr. Priscilla D. Thomas, Vice Chairman, District Eight Frank G. Murray, Chairman Pro Tem, District Four Jeffrey D. Rayno, District One Joe Murray Rivers, District Two John J. McMasters, District Three Harris Odell, Jr., District Five David M. Gellatly, District Six B. Dean Kicklighter, District Seven
----------	---

IN ATTENDANCE:	R. E. Abolt, County Manager R. Jonathan Hart, County Attorney Sybil E. Tillman, County Clerk
----------------	--

=====

**YOUTH COMMISSIONERS**

Chairman Hair welcomed the following Youth Commissioners who were in attendance: Shantell Boyd, a Senior at Beach High School, and Alecia Green, a Junior at Savannah Arts Academy.

=====

## **V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

None.

=====

## **VI. CHAIRMAN'S ITEMS**

None.

=====

## **ORDER OF BUSINESS**

Chairman Hair said, I'm going to recommend, since we have one of the Commissioners that has to leave early today for a medical reason, I'm going to suggest that after our Commissioners' Items that we move the First and Second Readings up in deference to him because he has to leave. So we will go ahead and do the Commissioners' Items and then First and Second Readings and then go through the agenda.

=====

## **VII. COMMISSIONERS' ITEMS**

### **1. PRESENTATION OF NACO/NATIONWIDE SOLUTION 457 RETIREMENT PLAN UPDATE (COMMISSIONER RIVERS). Note: This is suggested to take place at the conclusion of Board meeting after Executive Session.**

At the conclusion of the Execution Session following the Board meeting, Ms. Nancy Green distributed brochures and made a presentation to the Commissioners on the NACO/Nationwide Solution 457 Retirement Plan.

#### **ACTION OF THE BOARD:**

Received as information.

=====

### **2. PRESENTATION BY REV. MICHEAL ELLIOTT ON NEW DIRECTIONS IN MENTAL HEALTH (COMMISSIONER RAYNO).**

Commissioner Rayno said, yes, just this year they've changed the regions on the mental health and just when I thought that we were making progress trying to [inaudible] several people with substance abuse problems and mental health problems, what's happened is the State government has made a move to try to re-centralize that authority, and after numerous [inaudible], Commissioner Odell and myself had input from the community to express the desire of the community to have more localized control of how these problems were handled. I'm hoping that with the new administration that we're going to go back toward that type of an idea to give the best possible services to the people who are involved with drug abuse problems or mental health problems, and we're very fortunate to have a local collaborative effort spearheaded by folks like Craig Cashman and Mr. Elliott here that are here today to talk about some of the local solutions that they're able to provide, and we thank you for taking the time to come here today and explain what your vision is and what can be done for these problems that I've talked about. Thank you.

Rev. Micheal Elliott said, thank you, Mr. Rayno. Dr. Hair and members of the Commission, we'd just like to give you an update on our efforts to gain local control of substance abuse and mental health services in Chatham County. We represent a collaborative called the Savannah Area Behavioral Health Collaborative that is comprised of Union Mission, the Chatham-Savannah Authority for the Homeless, Memorial Health, Recovery Place of Savannah. October 1 of this year, the State awarded us the substance abuse contract for Chatham County, previously held by Gateway. We immediately assumed responsibility for about 500 citizens who are in treatment. Average daily census is about 120 folks. We're in negotiations with DHR to assume the adult mental health contract effective March 1, 2003. We are putting together a transition plan that will be given to the Commissioner of DHR. Once it's approved by him, we will then proceed with the implementation in an orderly fashion so that citizens' needs will not be compromised. Our long term vision is to answer the question of where services are going to be located in Chatham County once and for all. Union Mission has acquired the Fox Appliance property next door to the J. C. Lewis Health Center. We are currently

generating the funds to rehab that facility. It is already zoned appropriately as an expansion of J. C. Lewis, and that will be the site for substance abuse and adult mental health services in Chatham County. It's ironic that we have to spend \$2,000,000 of private money to basically open a State agency. Nevertheless, that's indicative of our commitment to this process. We do have some challenges. There are structural deficits in the State budget for substance abuse services. You need to be aware that the need in Chatham County for these services is much higher than what the State makes available. Finally, we are very sincere about privatizing the operation so that it's a true public/private partnership. We do not wish to be a community service board, which we think has failed as a delivery system. You see in the handout that Mr. Abolt distributed all of the different ways that are approached is significantly different from a community service board, we think, in a better fashion. That's kind of where we are right now. We wanted to give you an update, and we'll be happy to answer any questions that you may have.

Chairman Hair said, thank you, Micheal [Elliott]. Any questions? Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I just wanted to again thank you for raising awareness to this issue so that people know that we just simply can't shove people with these problems aside and pretend that they don't exist because that's the way they did it for years and years, and the only way that we can effectively solve the problem is to make people aware that it does exist, and also your efforts will help in the jail situation as we go through drug diversion programs and also mental health diversion programs, and we've seen high success rates around the country and within the State when they've enacted these programs, and I hope that that is something we'll branch into later on, but again thank you for raising awareness. Rev. Elliott said, absolutely.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, you know, we changed from Tideland to Gateway and each time we changed, I think, both were good programs, I think yours is an excellent program, we lose people who fall through the net. They ultimately end up in our jails. Someone will get off of their medication, they'll act up, and they'll end up in the Chatham County Jail or in Effingham County Jail, and ultimately the citizens will pay for it one way or the other. It's unfortunate that mental health, when originally our goal was to have a localized board to increase local input, and now we're going back to a centralized system for the State, which never worked historically, but hopefully with good guys like you, we can do what we can with a bad situation.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Dr. Hair and members of the Commission, I would just like to ditto what my two colleagues have said in terms of bringing awareness to us and some of the other things that we need to be aware of, but in addition I would just like to thank you for the very fine work that you have done throughout the community for so many years and hope that you can help us to move this issue forward as well. Rev. Elliott said, thank you.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you, Mr. Chairman. Mr. Elliott, in the collaborative I just couldn't help noticing that Candler and St. Joseph's are not part of your, you know, one of the collaborative effort. Rev. Elliott said, we extended an invitation to them to be a part of the collaborative, but they chose not to be. Commissioner McMasters said, okay, and the other question I have is relative to the seemingly growing homeless population in -. Rev. Elliott said, it's actually diminished by 45% since 1992. We're ending homelessness in this community. Now we're moving into prevention of homelessness, prevention of incarceration. Commissioner McMasters said, well, I've attended a few meetings at Precinct One with -, I forgot the Corporal's name that is so much out in front -. Mr. Cashman said, Corporal Fields. Commissioner McMasters said, Fields, thank you, and if I understood correctly, the SPD number shows an increase. Rev. Elliott said, it might be an increase in the chronic homeless population, those folks who are outside that he's identifying, but the overall population has decreased 45% since 1992.

Mr. Cashman said, the Homeless Authority collects statistics from every single shelter in the program throughout the City for the last 10 years, and with that on a monthly basis we take that statistics and yearly we've had a 45% decrease. What we have seen, and that's why you see us up here, is we see a chronic population of substance abuse and mental health folks who don't fit in any of our systems, who don't get treated on this end and lapse into the parks and things like that where none of us can help because the programs aren't there to assist them, and that's essentially why we started to step into the mental health /substance abuse system because we need to end it on this end before it gets chronic, and that's what we see. We see a higher degree of folks who are chronic and not necessarily the homeless population, but a higher degree of chronics in the City, and that's been our biggest issue. Commissioner McMasters said, okay, thank you for that clarification.

Chairman Hair recognized Commissioner Rivers.

Commissioner Rivers said, Mike [Elliott], I want to thank you for all that you have done over the years, and you have some wonderful programs out there and we have been able to catch a lot of those people who are substance abusers and those who have a mental illness. I would like to say -, I would like to see the collaborative focus very strongly on case management because case management is where we have been losing folks and they are dropping through the cracks. If we don't put together, as I have always said over the last 10 years, a good MIS system and a good case management system, then we're behind the eight ball, so I hope that the collaborative would focus on those. Rev. Elliott said, well, it's one of the linchpins of our models. It's been the success of the Homeless Authority, and we're not going to break -, we're not going to fix anything that's not broken, and case management has worked for us in the homeless population. We are confident it's going to work here and we appreciate your insistence that we stay with

it. Commissioner Rivers said, I don't know where I'm at, but I'll do whatever I can to assist you and give help wherever I can. Rev. Elliott said, thank you. It would be beneficial if the Commission would consider a letter to the Governor-elect and to the Commissioner of the Department of Human Resources. They are currently deliberating on making Chatham County a demonstration project; in essence, making us a demonstration project for the State to show that a non-community service board model works. That's important to us because it opens up Medicaid dollars flowing into this community. Commissioner Rivers said, I'll give Jim a personal call and ask him to try -. Rev. Elliott said, that would be great.

Chairman Hair said, what we could do though, it might even be stronger if we did a resolution supporting as opposed to a letter, and -. Commissioner Rivers said, so moved. Commissioner Murray said, second. Chairman Hair said, I have a motion to approve the resolution and I have a second. Any discussion of the resolution to the Governor to support. The Clerk said, I'm sorry, I didn't hear who made or seconded -. Commissioner Murray said, Joe [Rivers] made the motion and I seconded it. The Clerk said, thank you. Commissioner Murray said, you're welcome.

Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. Chairman Hair said, the motion passes. We'll get the resolution to the Governor and to the Commissioner. Rev. Elliott said, thank you, Dr. Hair. This is twice I've been here and got unanimous consent from you guys. When they said that y'all fight, I don't see it. Chairman Hair said, thank you, Mike [Elliott]. Commissioner Rivers said, we do it in the back room.

#### **ACTION OF THE BOARD:**

Commissioner Rivers moved to adopt a resolution supporting the Chatham County Behavioral Health Collaborative. Commissioner Murray seconded the motion and it carried unanimously.

=====

### **3. SOUTHEAST LAND PLAN UPDATE, MR. SID NUTTING (COMMISSIONER MCMASTERS).**

Chairman Hair said, I'm going to asked Commissioner McMasters to introduce this.

Commissioner McMasters said, thank you, Mr. Chairman. I have periodically reported back to my colleagues about the progress of the Southeast Land Plan Project and Mr. Nutting heads that up as the Chairman of the subcommittee from the MPC. In light of me giving the last report, I asked Mr. Nutting to give us an update today.

Chairman Hair recognized Mr. Nutting.

Mr. Sid Nutting said, okay. For the record, I'm Sid Nutting, and been introduced already. I'm here this morning to report the -, not only the progress, but a forecast of where we're going since that seemed to be a real critical interest that you all had and, believe me, so do the committee members have that same desire. Mr. Wilson, who is our staff -, chief staff representative, put this together and I'm going to run down it quickly to give you a sense of how predictable you think this schedule is and that way you will understand what the conclusion is. We had our last meeting formally with the staff on November 13<sup>th</sup> and we made a lot of progress in finishing up the section having to do with goals and what's associated with the goals. However, we did not finish, but at that meeting Mr. Wilson forecast for us the following schedule, and I'll come back to the -, finishing up. He advised us that he thought it would take the staff then until about December 13<sup>th</sup>, given the holiday in-between and his other assignments, that he would complete the plan draft and send it back to the committee by December 13<sup>th</sup>. Now, you realize this thing is being put together with a model of the Islands to go by, but it has sections and so we work on sections at a time and what he's referring to there is to put the whole thing together and get it back to us at that point. We would then have five days to pour over all of that and be sure that we had said what we thought we said and that we would have our final regular meeting by December 18<sup>th</sup>. At that point, the staff would take any comments that we had and finish the complete draft on January 6<sup>th</sup> and then on January 8<sup>th</sup> call a public meeting, at which time the public can pour over it as well. We would then take what the public had to say into account, remodel where necessary, and that we are committed to do by January 15<sup>th</sup>. Then it goes to the MPC for their review starting on January 21<sup>st</sup>. They, too, have a public comment and the results of that may require further work. It may not, but they allowed in the schedule a second MPC meeting to review whatever was altered as a result of the first meeting. It's then sent to you all by February 14<sup>th</sup> and, of course, given how things progress here, that is supposed to be the first reading, but if you have any questions, of course, then there is the need to go back and modify that, with a February 28<sup>th</sup> second reading as the final date. So, in effect, we could be through in February. I'll leave to you to speculate on how much slack time to build into your thinking as a result of what I have had to say. You also have been interested in a corridor study, so to speak, which involves not only the County side of the Sandfly area, which is the part that will be included in ours, but it includes also the City part of the Sandfly area, and the Georgia Conservancy is running what amounts to a parallel study with the same kinds of review meetings with the public, and they have had, I think, four or five meetings at this point, and they are progressing well, but I do not know have a schedule from them. It would not be -, so far it's not any different from what we have as far as the County's concerned, and perhaps that's -, you don't need to wait for that, but I think it's -, you'd find it very interesting. To the extent that they're after the same issues, it's almost perfect. So, I guess with that I'll go back that in view of where we stood -.

Chairman Hair said, Mr. Nutting, if I could suggest a procedural issue, if I heard you correctly. When it comes to the Commission for us to review it at the first reading and then, I believe I heard you say if we wanted to modify we could, and for second reading -. Mr. Nutting said, yes. Chairman Hair said, if we modify it at first reading, we have to have

a new first reading, so I'm suggesting maybe we put it on our agenda as an information item before we put it on for first reading, and that way if any changes are made, we could the first reading because if we modify it at the first reading stage, we've got to go through another first reading. So, maybe present it to us initially as an information item and then we could get feedback on it and then once everybody's satisfied with it, put it on the first reading. Mr. Nutting said, okay. Is that -- Chairman Hair said, that would save two weeks is what I'm saying. Mr. Nutting said, yeah, well --

Commissioner Murray said, it depends on --, I don't have a problem with that, but it really would depend on how it was modified if we modified it. Is that right? County Attorney Hart said, yeah, I mean, if it's just a minor text, you know, punctuation, paragraph changes --. Commissioner Murray said, but that's good to have that in there, and we don't have to use it. County Attorney Hart said, you know, if we're going to do major league changes then we need it. Commissioner Murray said, yeah.

Chairman Hair said, I think it would just speed it up. That's all, Mr. Nutting, I'm just suggesting to you just so that procedurally we could --, and not have to go through another first reading, you know. Commissioner Rayno asked, so the second meeting in January would be a good time. Chairman Hair said, yeah. Actually give it to us as an information item and put it on first reading. Mr. Nutting said, I don't think you'd make January, but perhaps we could get it in then in February. Chairman Hair said, that would be fine. I just make --. Mr. Nutting said, depending on when they --, how long the MPC --.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, according to my notes that's actually still when work is ongoing, and the first reading --, could we get a copy of that, Mr. Nutting, that schedule that you're --? Mr. Nutting said, okay, the schedule, yes. I'd be glad --. Commissioner McMasters asked, could you provide that to the Commission at some point? Mr. Nutting said, if I can get it copied today we can pass it out. Commissioner McMasters said, the 14<sup>th</sup> is what I've noted as the first reading projected date. Is that --, did I write that down right? Mr. Nutting said, let's see. The first reading, yes, February 14<sup>th</sup>, and the second reading then would be the 28<sup>th</sup>, if there were no other interruptions. Commissioner McMasters said, so your 14<sup>th</sup> is really your informational time frame. Chairman Hair said, but as the County Attorney said, if we make major changes in it, it would have to go to another first reading is what I'm saying. Commissioner McMasters said, right, we're backing up --. Chairman Hair said, that's correct. I just want to make sure that we understood the process so there would be, you know --. Mr. Nutting said, if the MPC had any delay before it got to you, then that --. Chairman Hair said, that's correct, the whole would slide.

Commissioner Murray said, there's a possibility we could get it in time for our last meeting in January, is that correct? Mr. Nutting said, no, I think you'd be --, I'll give you a copy of this, but I think it would be hard pressed to get it much before the last meeting in February.

Commissioner Rivers asked, why couldn't we review it just after the 21<sup>st</sup>, when the MPC review it, and that way we would be clear --. Chairman Hair said, I think if we could get the revised --, MPC revised version as soon as they revised it, I think that would --, that's what Commissioner Rivers is suggesting. I think that would be a good idea, that way we would be on track for the first and second reading according to your current schedule. Commissioner Rivers said, yeah.

Mr. Nutting said, well, let me add just a couple of things. In view of our trying to keep it up as fast as we could, the committee asked for an in-between meeting since the last time we met officially with the staff. They had other schedules that kept them from doing that with us, so we met independent of them and made a good bit of progress from 5:30 to 9:00 Wednesday night. So we'll try to watch for opportunities to do that again, although we are getting to the part where it's really not a civilian job, it's more of a staff job, and the staff schedule has to do more with that. I have to take this opportunity to mention to you all that it is important that this get done or that we have --, you know we discussed the possibility of a moratorium. The beat goes on. We now have just really heard this morning a little of the details of a three-store warehouse being planned for the Sandfly area and, of course, that has stirred the pot again. So somehow we need to be able to put a brake on that and I hope that is part of your deliberations as well. Are there any questions?

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters asked, Mr. Nutting, what is the City's --. Mr. Nutting said, this --, you all asked for a corridor study and the Georgia Conservancy --, since our project was from Montgomery Crossroad south, the Georgia Conservancy took on that job and they have held --, Milton [Newton], do you know how many meetings? I think it's --, three? Milton [Newton] says three, and they've had large turnouts. Commissioner McMasters said, but I'm trying to focus on the City of Savannah's involvement in this and I'm wondering whether or not the City's involvement or speed or lack thereof may affect your overall completion. Is it pertinent or not pertinent? Mr. Nutting said, it would, I guess, depend on what the City concluded from that study. We have tried to cooperate and they've cooperated with us in terms of the --, what the format would be so that if anything they did that would be easily inserted in ours, and vice versa for that matter, but of course it's two different jurisdictions and they are an advisory group, albeit their --, they brought down their folks from Atlanta, and they've conducted it in a very professional way. This is a program they call blueprinting, I think, that they do all over the State and have had a lot of success with getting people's input, and they're using that same successful model. Commissioner McMasters said, well, I know that in attending the Bethesda meeting, which I reported on two meetings back, I was under the impression that this would be ready sooner. Am I --, did I mishear that information? Mr. Nutting said, I think when we talked about finishing it by the end of the year --. Commissioner McMasters said, right. Mr. Nutting said, -- we really --, at that point we were talking about, or I was,

talking about our work, and then the staff put this together with a better appreciation of their work. You know, the Islands plan includes all sorts of where the sewers are and the population growth and where the drainage ditches are and all of that, which –, all of which affects the land use plan, and they have, I think, rightly pointed out that they've got to have time to put all of that in. So I think if you look at the Islands plan, you can expect to see this other one very similar to that. It made it through and we thought that was the objective we should follow.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Milton [Newton], would you come up please. Within the Islands plan we had different phases that we would go into different things and then increase and do some more studying and come back and make some revisions to the plan, if necessary, based on that. Is that correct? Mr. Newton said, yes, that was. Commissioner Murray said, and if I'm not mistaken, when we started this and the idea of a moratorium came up, we asked the MPC staff what was a realistic time for it to come to us. I guess my question is, what has been more important from the County's side to get accomplished than this plan at this point? To put this aside to move forward with some other issues evidently? Mr. Newton said, one of the problems that we have is we're organized such that we have a transportation planning session that has state and federal mandated responsibilities that we can't pull from those responsibilities, like CUTS, really into the land use planning portion. Then we also have the continuing day-to-day development review activities, such as Zoning Board of Appeals, the zoning petitions and the site plan reviews, most of which is the site plan reviews. That staff is basically a dedicated staff to that. So, in essence, what we have working –, although they coordinate and we do have meetings –, weekly meetings between the divisions, the division that's really doing the comprehensive plan work, of which the Southeast Chatham is a portion, is the comprehensive planning division, and that comprehensive planning division is also doing the things such as the greenspace work, the population projections and the census coordination work that unbelievably is still going on. Those types of things. So, I would say that the Southeast Chatham Plan is only a portion of that work and we really don't have the resources to pull off of those other, some of which is mandated, activities for that. I guess that's the response. In response to Commissioner McMasters' earlier question, we do not anticipate that the City's involvement in the corridor study will delay the corridor report that –. We're working on that really in conjunction with the ongoing effort that Mr. Nutting talked about. We're considering that an integral part of the Southeast Chatham work so would see finishing those simultaneously.

Commissioner Murray said, okay. I appreciate your comments on that. I just –, you know, we had talked about the moratorium. We had a first reading on it. The second reading was postponed I think to our second meeting in December. I just feel like the moratorium really is not going to accomplish anything, but I'll leave this open for discussion right now until it comes back, but I would like to make a motion with some type of compromise to do away with the moratorium and add some things in for y'all to do to come back to the Commission through this process, but I won't do that until after we hear some more discussion.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters asked, Milton [Newton], do –, you talked about the shortage of resources, are you fully staffed in your –, do you have vacancies? Mr. Newton said, no, sir, we're not. Commissioner McMasters asked, so it's just an overload of work that's bottling up things? Mr. Newton said, I would say that –. Commissioner McMasters said, mandated work, as you pointed out, rightfully so. Mr. Newton said, right. Our –, in order to do what we envisioned and the County wants us to do, you know, we annually identify our budget and we identify the amount that we think is necessary. Obviously, there's going to be legitimate differences on whether we have overstated or we could get by a little leaner, and as we go through the budget process each year we do find that we get –, really are funded at a considerably lower level than that ideal, and we recognize that, as we said, we can work within those lower elements, but there's some things recently that we find that that's being cut some more and that it is beginning to affect us because it means that we may lose a position as a result. So we're concerned about that. Commissioner McMasters what cuts were you referring to, Mr. Newton? Potential cuts? Commissioner Murray said, solid waste. County Manager Abolt said, solid waste. Commissioner McMasters asked, solid waste? Okay. Commissioner McMasters asked, and what position might you be losing? A solid waste coordinator or something? Mr. Newton said, that's the funds that we're talking about. We had always interpreted that as being an environmental planner position that is to help with the comp plans and that's the same staff that we're also using, as you said, on the –, to help with the zoning ordinance rewrites along with the development services staff. So we are a little tight there and if we do lose those funds, it will be critical. Chairman Hair said, thank you. Any other questions? Mr. Newton said, if those funds are not replaced.

Commissioner Murray said, let me ask you a question on that. Mr. Newton said, we understand the County's problem. Chairman Hair recognized Commissioner Murray. Commissioner Murray said, Jon [Hart], you might need to help with this, I'm not sure, but those funds that you receive out of our Solid Waste Fund for that position are restricted to somebody only being utilized with that, is that correct? County Attorney Hart said, yeah, we're looking at that –. Commissioner Murray said, you can't use them to do all these other things unless you're subsidizing what we send over there. County Attorney Hart said, we're looking at that right now. I expect next week I will probably have a memo and some opinions about that. There's some issues that the MPC has over how –, what they've got staff-wise, and then there's some issues about whether you can take like the environmental services aspect, which they need, and take that out of solid waste. Certainly some of that deals with solid waste, but can you fund the whole thing out of it? So, we're going to have to –. Commissioner Murray said, well, using the funding out of the Solid Waste Fund is very restrictive, I know that. There's a fine line of what we can do and what we can't do, and I would question that individual doing things other than things that pertain to the solid waste. Environmental might fall in that category, I don't know. Chairman Hair said, I think maybe we need to wait until we get that report. County Attorney Hart said, in the past we had a lot of landfills that had environmental issues in it that certainly had some MPC elements in it that needed to go

with the land plan for solid waste, but at the same time we needed that same type of service for the environmental side of the solid waste to meet the State requirements. It's going to be a balancing act. One other thing I would say in the defense of the MPC is that we've got an awful lot of State regulatory bodies that send down deadlines to these folks, and those deadlines aren't necessarily –, they're not necessarily consulted about it. They just send down a memo and say if you want to qualify for this program, have it in by this date. In the last three or four weeks we have had a multitude of meetings to try to meet all the greenspace deadlines that we need to participate in the greenspace funding program and to get an intergovernmental agreement together and agreements upon the municipalities so that we have a unified system and, you know, some of those deadlines are set by people who set deadlines because they can set deadlines and that not necessarily corresponds to the workload at the local level, and I think right now MPC is being hit from two and three different sides on crunch times. I may be over-speaking, but I notice that we seem like we have to get an awful lot of things done outside of our community. Commissioner Murray said, I agree with that, but I also think we have other resources that can be utilized that we as a County don't utilize and we pay dues annually to the RDC and they have a full staff that can look at some of these things and help with some of it and take some of the pressure off the MPC, and once they complete it, if the MPC wants to review what they've done and then send it back to us with recommendations, that's fine, but I think we need to start utilizing this organization since we do pay our dues, and by the State law we have to pay the dues, and I just –, if we're paying the dues, we need to receive something from it.

Chairman Hair recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I just want to say that the MPC might want to go out and take a look at some of the smaller municipalities, such as Pooler and Garden City, that they do some pretty outstanding planning out there, mainly with all volunteers. They may have one planner, paid planner or staff member, and we're not talking small, small places. I mean, Garden City has a population of 11,000, 12,000, Pooler's growing and that's the only thing that kind of –, it bothers me with the larger the government gets, the more everything tends to sound like it's money driven. We can't do this because. You've got a gentleman out there, Sid Nutting or something. There's plenty of people out in this community that's retired that has vast knowledge and they're willing to dedicate their time at no charge, and I believe if we open the doors and just ask these people out there, they'll come volunteer their time. I don't think you have to pay to get results all the time, and I'm not hitting you. Y'all do a fine job. I'm just saying we've got to change our thought on pay gets results. Sometimes all you have to do is ask and, thank God, there's good people left in this world that will do things without getting paid, and I'd suggest that we do that. Let's open the doors and get more people in that will volunteer their time. I'm sure that the MPC board, the members themselves, y'all don't get paid at all, right? Okay, there's your group of volunteers, and just like them, we can bring in people with that knowledge that will come in and assist at no charge. So, you know, I'm just tired of hearing excuses about money. There's ways to get things done without money. We've just got to think in a different manner of opening up the wallets and, you know, that's all I'll say. Mr. Newton said, Commissioner Kicklighter, I appreciate what you've said because we are strongly motivated by volunteers. I think we –, our staff manages maybe 40 citizen volunteer groups and we have to staff and these involve a lot of evening meetings and these sorts of things, so we are heavily into the volunteer aspect. One of the things that is a little different is that whereas with regard to, say, the small municipalities, we do the water supply management planning for them. We do the greenspace planning for them. We do the transportation planning for them. But it's really the County and the City of Savannah that pay that. So that is part of our work program and you're responsible to do it. We may need to talk in terms of how to expand that basis because I think we are looking at –, under a Federal mandate to expand the transportation planning program probably into Effingham and Bryan County and we probably need to look at how those costs are going to be shared, and we have initiated some contact with those communities to begin a dialogue before we bring something to you for consideration. So those are some of the things that we deal with.

Chairman Hair said, and also just to highlight what Mr. Newton said, Commissioner, I agree with you about the volunteers, but just on the CUTS alone we have three separate volunteer committees. We have a technical committee, we have the citizens advisory committee and then we have the accessibility committee, and they provide valuable input to us and they meet –, they're citizens, too, that work at no charge at night and that sort of thing, so if we can expand it, it's a good idea, but there is a substantial amount. And also I would –, before I call on Mr. Nutting and then Commissioner Murray –, I think we also have to expand our thought process when we talk about planning. There's a group that I've been working with for the last six months just talking about regional transportation planning that involves Effingham County, Chatham County, Beaufort County, Jasper County. I think we've got to get beyond just Chatham County when we start talking about planning, and we've got to look at regionalization because anything that we do in Chatham County transportation-wise is going to affect Effingham, it's going to affect Beaufort, it's going to affect them likewise, so I think as we begin to sort of change the paradigm about our thinking about planning and not just limit it to Chatham County, but think more in regional terms and even bi-state terms in our case because what we do certainly affects over there and what they do affects us. So I just would –, Mr. Nutting and then Commissioner Murray.

Mr. Nutting said, yes, I would just like to be sure I didn't leave the wrong impression with you. The staff has been extremely helpful. I think both sides bring a lot to the table. The citizens, of which there are a lot, bring what they know and, of course, the whole thing is what they would like to see for their community. The staff, on the other hand, brings expertise having to do with that experience elsewhere, with legal issues, with technical planning issues, and I think that's really important. Another step by the way in this table that I will –, if I can get somebody to duplicate it when I get through here –, is that we didn't put it down, but we certainly ought to have some time in there for the consultants for whom we are paying dearly to have a chance to review this and bring their experience in other locations to the table, and I know they're only here periodically and they've got a [inaudible], but they are auxiliary help you were talking about that you can add and perhaps cover a lot of ground quickly because they know what they're looking for and what they can do. So I just wanted to add those –. Chairman Hair said, thank you, Mr. Nutting.

Commissioner Kicklighter said, I just –, if I could. You didn't give any impression and unfortunately Mr. Newton caught the brunt of my thinking for the overall County. I'm just kind of at the point where I'm just –, I'm tired of hearing excuses from all corners of how broke we are. I know we're broke, but we've got to get creative from all aspects. I'm not talking zoning. I'm talking every area of this County government from recreation to whatever. We've got to utilize the volunteers, you know, we've got to start thinking different, and it happened to come out on Mr. Newton over there and it's actually –, I believe we've got to think a little different. Mr. Nutting said, I'm sorry you said that because I haven't submitted my bill yet.

Chairman Hair recognized Commissioner Murray. Commissioner Murray said, if he's got some discussion, I'll let him say it before I –. Chairman Hair said, okay. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, Dr. Hair, I just want to –, as long as we have the MPC people here and Ms. Stone, relative to your comment about thinking a little more globally, with regard to the tri-centennial planning to what extent can you report that –, I'd like to know where the other municipalities –, I know the City of Savannah has committed funding and is playing a large lead role in this. Could you give the Commission an update on the other smaller municipalities and their involvement in the tri-centennial planning? Mr. Newton said, as you are aware, the Planning Commission is a creature of the City of Savannah and Chatham County. The smaller municipalities are not members nor do they financially support the Planning Commission, although we do engage in countywide planning activities, such as the ones I mentioned earlier, that involves everyone, but basically it's the City of Savannah and Chatham County that –, the unincorporated portion of Chatham County –, that pays for the MPC. We are in contact with the other municipalities. In fact, I believe some of them have even hired consultants that participate in our committee meetings and sit in with us, but we are not actually doing the comprehensive plan work for the smaller municipalities. We did that previously under a contract. It was in '90 –, '89 I think it was when we did the first comprehensive plan and we did a countywide comprehensive plan that was –, included all of the municipalities. We simply are not staffed up and don't have the resources at this time to do it for the small municipalities, but we do make available to them the countywide work that we do have to do to effectively do the City of Savannah and Chatham County portions. So they're –, they're partners in that respect, but they're not directly participating in the program.

Chairman Hair recognized Ms. Stone.

Ms. Helen Stone said, I was just going to say I'm pleased to say that with the tri-centennial plan there are two committees. There's a steering committee and a technical advisory committee, and yesterday at the steering committee meeting we did have some representatives from some of the other municipalities who were participating in the process. They're there, they're taking notes, they're a part of it, and also since I'm standing here, on December 10<sup>th</sup>, we will have two of our lead consultants here for a workshop breakfast that the elected officials will be invited to. We just pulled it together this week and Milton [Newton] is working on the location, but that way you all can see where we are with this plan, see what we're doing, ask questions, meet the consultants and see what you're getting for your money.

Chairman Hair said, thank you, Ms. Stone. Commissioner McMasters, anything else?

Commissioner McMasters said, Mr. Newton, I understand fully that there's no participation from those municipalities, but I'm more interested in conceptually what is your plan to get the municipalities to philosophically and hopefully on an implementation basis participate in the tri-centennial planning? Forget the cost. Where are you, what can you report on the likelihood or the status of smaller municipality participation and ultimate implementation of the tri-centennial effort? Mr. Newton said, we certainly plan to cooperate fully with the smaller municipalities and to make available to them everything that we are putting together. We certainly invite them and would be very pleased if they would cooperate with us and maybe even periodic meetings with us once we get to the point where we're able to have –, we're currently now working on getting the background information and pulling together some of the concepts that we're trying to hone –, hone up in the Southeast Chatham and that we looked at previously in the Islands area, trying to refine those and we certainly would like to participate with them so that we would have a countywide document. We are not at a point that I can tell you that it's going to be entirely successful, but we will make every effort to make it a success. Commissioner McMasters said, I understand clearly your desires to have them participate and provide input and be actively involved in the process. Mr. Newton said, I might add that the current contacts that we have with Effingham and Bryan County are somewhat related, although not directly related, on their primarily transportation, but what I mentioned earlier was that under Federal –, the new Federal guidelines all areas that are going to be urbanized in the next 20 years have to be a part of the Chatham County Urban Transportation Study, and a good part of that transportation study is the development of the social and economic database that goes into not only transportation planning, but land use planning. Fortunately, we get a lot of that paid for by the Federal government through their grant –, with strings, but through a grant nevertheless –, so we share that –, we'll be sharing that not only with other counties, but we certainly also incorporate the populations –, social and economic and population projections and that kind of data with the smaller municipalities, and we certainly have the capability to assist them in their mapping activities for their land use and those sorts of things and we will certainly share with them the concepts that we're developing for Chatham County and Savannah.

Commissioner McMasters said, just to finish. Mr. Newton, is there anything this Commission can do –, I mean, we have successfully done an Islands land plan, we are, I guess, although extending by necessity the time frame for the completion of the Southeast land plan, which by the way this Commission obviously endorses wholeheartedly, and the next effort would, as I understand it, be a Westside land plan, I support the Chairman's notion that we need to think even beyond Chatham County, but I guess I'm hanging up or struggling with the fact of how even within our own County since land planning is sort of a universal subject, how we're going to bring the smaller municipalities into the fold, and that's kind of a rhetorical question, but I would suggest to you I saw a fantastic lobbying effort on behalf of

the City of Savannah, the unified –, all the municipalities in the LOST negotiations. Is –, does the possibility exist that the City of Savannah could be instrumental in working with this combined effort and, lastly, is there anything this Commission can do?

Commissioner Kicklighter said, let me answer that please. I appreciate his concern for the municipalities on the Westside joining in, but they're happy with the way they –, they have their own planning commissions, and this thought process –, this thought process is saying that is saying that this group, Chatham County and Savannah, does a better job than –, they would probably differ. They're happy with the way they do their zoning out there and, you know, when they –, if they come forward wanting to join in and everything, then that's fine, but as far as us trying to force them in any way whatsoever, that's their prerogative. They may stand up and argue that Chatham County should abolish our system and join them. I mean, they –, you know, they have their system, it works well for them and that's the way it should be, and most of the time when they utilize the MPC, they pay you for your services, do they –, don't they? Mr. Newton said, their –, in the past we have had contracts for special project –. Commissioner Kicklighter said, right. Mr. Newton said, – such as the '89 land use plan. There was a contract on that, and occasionally in the past if they needed special zoning assistance, there has been a contractual basis. On those kinds of special projects, yes, we do have that type of relationship.

Chairman Hair said, I don't necessarily see Commissioner McMasters' and Commissioner Kicklighter's points of view that diverse. I mean, I think the issue –, you could have a lot of coordination – without losing control. Commissioner Kicklighter said, right. Chairman Hair said, and I don't think Commissioner McMasters is suggesting control. I think –, but you definitely need a lot of coordination, and I think that's what we need. We need a model for that, the coordination, and not necessarily –, everybody could still have their own control, but they would help each other and make sure that what they're doing would not adversely impact –. Commissioner Kicklighter said, absolutely. Chairman Hair said, – something next door, that sort of thing. So I think –, I don't see –. Commissioner Kicklighter said, so really encourage a good relationship. Chairman Hair said, well, I think you need more than a relationship. I think you need a model of how things should flow –. Commissioner Kicklighter said, right. Chairman Hair said, – you know, but not necessarily, you know, any municipality certainly giving up any control. You know, I think they would oppose –, I would oppose that. I don't think that's –. Commissioner McMasters said, that was not my intention. Commissioner Kicklighter said, okay, I'm sorry. I misunderstood, I'm sorry. Chairman Hair said, I just wanted to clarify that. I think y'all's positions were that different, I think you were –, just you were referring to that different. Commissioner Rivers and then Commissioner Murray.

Commissioner Rivers said, I was about to say some of the same things that you said, Mr. Chairman. You know, it's obvious that we have a process that we all go through. Most of the municipalities have land use plans. They go through the Regional Development Center. They have to submit plans to the State. Why can't you collaborate with all of those units, and I'm sure that you're going to incorporate that, Milton [Newton], all of those plans under one. They're available. They're there. They're getting assistance. They may not be getting it from MPC, but they're getting assistance. So I think we can correlate all those plans and incorporate them and look over from dominating anybody because the plans are there and available. And we are open to assistance and we are open to contracts.

Chairman Hair said, I can just speak from this regional group, you know, that we've been meeting with, the Chairman of the Effingham Commission, Chatham County Commission, County Manager, Jasper County Commission, Jasper County Manager, Beaufort County Commission Chairman, and Beaufort County Manager, and they, you know, all of them have said, look, if we can –, if we could contract with some regional agency to do it better and we could do it cheaper than we could do it, then we would be glad to do it. So, I think there's a number of ways and we're in the very early stages of talking to those folks, but I mean I've been very pleased sitting in these meetings. We just had one this week, day before yesterday I believe it was, over in Hardeeville, and, you know, I'm very pleased with the spirit of both the elected officials and also the staff folks in terms of trying to find a new way of thinking about how we do regional planning and I just think that we've got to –, in that case we're going to have to go to the State Legislators in both states because you're talking about something that would fall, you know, the legislation –. Chairman Hair recognized Mr. Newton.

Mr. Newton said, Mr. Chairman, I would like to make one more comment. In putting together the final comprehensive plan for Chatham County and the City of Savannah, which we are tasked, we will of necessity have to incorporate the small municipalities. Otherwise, we cannot do a Chatham County plan. So we will be working closely with them, I assure you of that, and we've always had a good working relationship in that regard and I wouldn't expect that we would have anything other than the same type of relationship. Chairman Hair said, I think another –. Mr. Newton said, on the staff level we do have a very good working relationship with the small municipalities. Chairman Hair said, I think another example of where it works very well is the CUTS Committee. I mean, both the County Manager and I serve on the CUTS, but we also have the mayors that serve on the CUTS. I mean, Mayor Parker and Mayor Buddy Carter from Pooler, they actually sit on the CUTS so they are there as a voting member, you know, of the CUTS and it works extremely well. When they have a seat at the table, then you don't get all the fear, you know, of what somebody's doing and I think the County Manager would agree with me that the CUTS works extremely well with the individual mayors and city managers sitting there with us on CUTS and they –, we always have great attendance, they always show up and they always contribute. So I think that's a good model of how we can do it. Maybe –, again maybe formalizing the process, I think, would work very well. Mr. Newton said, Mr. Chairman, thank you for bringing that up. Several years ago we did have a draft program that would put together a more formal coordination effort between Chatham County, the City of Savannah and the smaller municipalities through the MPC, but not as the MPC, and maybe it would be appropriate to bring that out and revisit that model again.

Chairman Hair said, and also maybe expand that to even some of the outlying counties, not just limit it again to Chatham County possibly. Okay? Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, Milton [Newton], I've got two questions and then I want to make a motion. The first question, you had mentioned things that the MPC is doing for the municipalities that you are not billing them for. What are those items again? Mr. Newton said, the Chatham Urban Transportation Study, the periodic updates of the Water Supply Management Plan, the greenspace coordination that's on today's agenda, and the coordination of the Governor's Greenspace Program, the countywide bikeway plan, those kinds of things that we of necessity have to do on a countywide basis. Those are basically paid for out of City and County. Commissioner Murray said, I guess my problem with that is the funding that MPC receives from Chatham County, 50% of your budget comes from the unincorporated area of Chatham County from the Special Service District taxpayers. The \$65,000 a year for your tri-centennial plan comes from the Special Service District taxpayers. I don't think they need to be subsidizing the smaller municipalities. As Commissioner Kicklighter just said, they've got their own planning commissions and if we're going to do work, I don't care what work we do, we should bill them for our cost in that work. That's just my opinion as representing a large portion of the Special Service District. The other question I have is on October -, at our meeting on October 25<sup>th</sup> I made a motion that anything outside the scope of the present land use plan or any land use plans in the future would come back to this Commission for final approval or non-approval. Has MPC received notification on that yet? Mr. Newton said, yes, we notified them -, advised them of that motion I think at the last meeting. Commissioner Murray asked, so y'all are aware of that? Mr. Newton said, the -, I would point out though that I think by law we are precluded already from approving anything at the MPC that's contrary to the comp plan or land use plan without it coming to this body anyway. For instance, if somebody asked for a rezoning that is contrary to the land use plan, obviously that has to come here. If they ask for a site plan approval that is not permitted the current plan, then it would have to have approval of the land use plan. Commissioner Murray said, yeah, I knew that when I made the motion, but I just wanted to make sure that there was no doubt that what I said -. Mr. Newton said, there's no doubt in our minds -. Commissioner Murray said, versus what y'all are doing. Mr. Newton said, - that it has to come back. Yes, sir.

Commissioner Murray said, all right, now as far as a motion, and I'm not sure exactly how to make this because it's going to have to be a swap-off. I would like to move that we discontinue or delete off of our agenda the moratorium for the Southeast land plan area. In return, between now and the time that plan is adopted, that anything that is not within the footprint of the plan that you are working on, then come back to this Commission for approval. Do I -, does that -. Commissioner McMasters asked, you want to kill the moratorium? Commissioner Murray said, yeah, I want to do away with the moratorium only if we can bring back to this Commission for approval anything that falls outside of the footprint of that land -, Southeast land use plan that's being worked now. Chairman Hair asked, wouldn't it have to come back to us anyway? Commissioner Murray said, no. Chairman Hair said, why wouldn't it have to come back to us anyway? Commissioner Murray said, there are certain issues -, there are certain things in zoning that do not have to come back to this Commission. County Attorney Hart said, if you have somebody that's zoned for a use and they come in and apply for that use and they don't request any variances or any changes in the use that they're already permitted and they meet the A-B-C laundry list of requirements that the MPC has, it's my understanding it would not have to come back to the Commission unless the MPC found that there were some unique, unusual circumstances which required review. Is that correct, Milton [Newton]? Mr. Newton said, anything unusual applies only to rezoning issues.

Chairman Hair said, I'm not sure I understand the motion. I just want to make sure -, would you come back -. Commissioner Murray said, well, for instance -, for instance a minor subdivision does not come back to the County Commission. That's all decided at MPC. Chairman Hair asked, and are you saying you want that to come back to the County Commission? Commissioner Murray said, until this land use plan is put into effect, and by doing that we discontinue any discussions on a moratorium. Chairman Hair asked, wouldn't that be more restrictive than a moratorium? Because you'd be adding items that would come to us that's not coming to us now? Commissioner Murray said, well, we're talking about what, three months. Mr. Newton said, three months. Chairman Hair said, we have a motion. Do we have -, let's get a second. Do we have a second? Commissioner McMasters said, second. Chairman Hair said, okay, second.

Chairman Hair recognized Mr. Phillip McCorkle. Commissioner Thomas said, further discussion. Chairman Hair said, yes, there's going to be a lot of discussion, I think.

Mr. Phillip McCorkle said, I was hoping I wasn't going to have to say anything today, but my position would be, Mr. Murray, that that's an amendment to your zoning ordinance. If you're going to -, you have the ability if you want to look at every site plan, every subdivision or minor subdivision, any other land use issue -, you have the ability to amend your ordinance and have all those issues come here. You have delegated to the MPC certain responsibilities. You could do away with the MPC, if you choose, and do everything yourself. But at the current time, the MPC has been delegated the responsibility by ordinance and until you amend the ordinance you can't direct the MPC to act contrary to the ordinance. So, I would strongly object to it, but it's not, I don't think, appropriate and I don't think it's legal. You may want to talk to Mr. Hart -, but I think it's an amendment to your ordinance.

Chairman Hair asked, Mr. Hart, is Mr. McCorkle correct that what Commissioner Murray is trying to do would be -, would require a change in the ordinance? County Attorney Hart said, your moratorium, as written currently, is less restrictive probably than the substitute that Commissioner Murray is recommending. Chairman Hair said, that's what I think, it's much more restrictive. County Attorney Hart said, as a practical matter, it may not be restrictive because it's just the way things work out, but you would be adding a requirement of a petitioner coming back to the Commission to go ahead and get his use approval or site plan approval that isn't in your ordinance, and you could make a pretty compelling argument that if you're going to change the program, then the program ought to be reflected in the ordinance. I'd want to spend more time thinking about what's been said here, but -. Chairman Hair said, but the thought process -. County Attorney Hart said, yeah, it caught me kind of cold there. I didn't realize we were going to do that. Commissioner Murray said, I didn't either. Chairman Hair said, so you, Mr. Hart, basically off the top of your

head agree with Mr. McCorkle is correct that it would require a change in the ordinance. That's what I heard you say. County Attorney Hart said, well, I don't want to say Mr. McCorkle is correct because I want to think about it, but I think his -, I don't disagree that there's some logical reasoning behind what Mr. McCorkle said, right there.

Commissioner Odell asked, how could it not be correct? County Attorney Hart said, you could find -. Commissioner Odell said, just as an attorney, Jon [Hart] -. County Attorney Hart said, you could find -, you could ask the MPC to find -, but that would not be in -. Our ordinance provides in unique circumstances that they can require it to come back to this Commission, and on a rezoning petition certainly you wouldn't have to amend your ordinance to do that. But if you're going to require somebody that's got the garden variety modification to a plan to come before you and have that approved after you've already got the MPC approval, you've got difficulty without amending your ordinance, yes. Commissioner Odell said, yes, but Frank's [Murray] motion, the way it's worded, would be an indirect amendment to our ordinance. I mean, if it causes -. County Attorney Hart said, it certainly -. Commissioner Odell said, - a change in the delegation from the MPC back to the County, that's an amendment of the ordinance. I mean, we can think about it until the cows come home, the end results is that amends an ordinance, okay, because it amends what we have already done and delegated. County Attorney Hart said, it certainly a lot less clear in discerning the rights without the amendment to the ordinance.

Commissioner Murray said, I did make the statement before I made that motion that I wasn't sure how to word that motion, and I will withdraw that motion, but I would also -, I would make a motion now to rescind the action of this Commission to table the moratorium until the second meeting in December and ask that we vote on the moratorium the first meeting in December. Chairman Hair asked, so you're asking to table -, we would have to first untable it, would we not -? County Attorney Hart said, correct. Chairman Hair said, and then make a new motion to table, so if you want to make a motion to untable it, the current motion is to table it to the second meeting, so we would have to untable that motion first and then make a new motion to table it. County Attorney Hart said, correct. Chairman Hair said, so if you want to make a motion to -.

Commissioner Rivers said, just leave it on the table and leave it there and then bring it off on the first meeting. Chairman Hair said, you could always -, if you need to get five votes, you could always bring it back. It would take five votes to bring it off the table at the first meeting. County Attorney Hart said, well, two things about it is -. Chairman Hair said, but I don't think that would work. County Attorney Hart said, we would like to advertise -.

Commissioner Murray said, well, there needs to be notification. County Attorney Hart said, yeah, we need to advertise for a date certain. It would just be cleaner. Commissioner Murray said, well, I'll withdraw all of that then. Chairman Hair said, okay. Yeah, that would be very confusing because we would have to -, it's already been advertised to be the second meeting of December.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, the thing that seems to be occurring here is that the Southeast land plan is now protracted out for all very good reasons, that is, workload at MPC, volume of work, and yet there was a desire to not have a rush of the applicants to get the proverbial nose of the camel under the tent in the Southeast land plan in advance of the moratorium. Well, we keep pushing out this potential moratorium because the work is taking longer than we planned. So, what can we think of, that is, what can perhaps the County Attorney suggest to assist in the planning process so that we have some control over the area in question while the time parameters keep extending? County Attorney Hart said, you've got two options, amend your ordinance or pass a moratorium. Commissioner McMasters asked, which ordinance would we be amending? County Attorney Hart said, you'd be amending your zoning ordinance. Commissioner McMasters asked, and how would it have to be amended? County Attorney Hart said, I would have to give that a lot of thought to try to cover through an amendment on a temporary basis all of the theoretical -, not practical, but theoretical -, potential applicants that could be there. It would be -, it would almost require you to rewrite it. Commissioner McMasters asked, do we not have the authority to, on a temporary basis, apply one more level of review? County Attorney Hart said, no. Commissioner McMasters asked, no? County Attorney Hart said, you can do it by ordinance or you can pass a moratorium that's clearly defined for a date certain, specific and to a range of property, which is what I tried to do when we drafted the original moratorium as of the wishes of this committee.

Commissioner McMasters said, well, there's just so much controversy over the thought of a moratorium, we're trying to, I think, here do -, accomplish a couple of things: protect the area in question until the Southeast land plan is completed and eliminate the need for a moratorium. If that can't be done, it can't be done.

Commissioner Murray asked, can I make a comment? Chairman Hair said, certainly. Commissioner Murray said, I think the simplest thing right now is to leave everything as we've got it and let it take its course and request that MPC move this Southeast land use plan to a top priority and do it as quickly as possible and complete it and let's move on. Commissioner McMasters asked, is that a motion? Chairman Hair said, I think they've got that message, I think. Commissioner Murray said, well, I thought they had it the last time, but evidently it's been put back again. Mr. Newton said, I think there may be a little bit of a misunderstanding. The date -, the schedule that you were given today is the accelerated schedule for the Southeast Chatham -. Commissioner Murray said, well, I thought the December dates were accelerated, and now we're two months behind that.

Commissioner McMasters said, yeah, we had talked -, forgive me. Commissioner Murray said, that's alright. Commissioner McMasters said, we had consistently heard here and in public meetings that this would all be finished by the end of the year, and now -. Commissioner Murray said, that's why we tabled the moratorium. Commissioner

McMasters said, that's right, and that's why we set up the moratorium –, tabled it out until the second meeting in December, and now we're hearing that it's likely March. That's not the end of the year.

Chairman Hair said, I think part of the confusion, Commissioner McMasters, and correct me if I'm wrong, but I think part of the confusion came from –, you know, we've got a lot of different groups that has some parts of this –, the plan. We've got the citizens' part, we've got the MPC part and we've got our part, and I think the confusion came from maybe discussing with the citizens' group –, I think Mr. Nutting said they would be through by December. Their part is finished by December, so I think maybe some of the confusion –, it's just my opinion that some of the confusion may have come from us thinking that certain parts would be finished and we thinking that was the total. I think that's kind of what I'm hearing now because after Mr. Nutting gets through, then it's got to go to the MPC and then to us, and I think possibly that's some of the confusion, Commissioner McMasters. I'm just suggesting that, I don't know. Could I make –, go ahead, Commissioner Murray.

Commissioner Murray said, several of us and Milton [Newton] and some of his staff met with the Homebuilder's Association. That date was even talked about there and agreed that by the last meeting in December we should have to vote for final approval. That's when we discussed and were trying to explain the moratorium and what that would or would not cover if we moved forward with it. And, you know, if we can't do it until February, we can't do it until February, but I just would make the comment that I'm very disappointed that we've been given information and we can't go by those dates we were originally given, period. Mr. Newton said, I think the date –, the December date really we were shooting for was to have a draft, and then there's an approval process that's necessary, but a renewal process is mandated.

Commissioner Rivers asked, is there any possibility of readjusting this time frame to shorten it somewhat? Is there any possibility? Mr. Newton said, it can be shortened if the review time phase by the Planning Commission does not –, doesn't take two meetings. If it takes one meeting, it certainly can be shortened. Commissioner Rivers asked, can we do, like we sometimes do, we do a review and if we've got a public hearing, we do it all in one day? Mr. Newton said, we can certainly send it to this Board simultaneously for your informal review so that you can get us your comments back maybe informally prior to having your formal review so that it would not take that informal meeting and then have to wait a meeting for the –. There's some thing like that that we possibly could work with. Commissioner Rivers said, why would our comments have to come, you know, behind anybody else? Why can't it come simultaneously? Mr. Newton said, the only –, they certainly could. I guess the only chance that you're taking is that a comment that, say, the Planning Commission might affect something you see or do, but –. Commissioner Rivers asked, well, why can't –. Mr. Newton said, ideally it would not –, there would not be a conflict. Commissioner Rivers said, I think when you look at the 6<sup>th</sup> and then you're coming back with a public hearing, why can't you put the 6<sup>th</sup> –, do both? You gain a couple of days there. Tightening up on the draft between the 13<sup>th</sup> and the 18<sup>th</sup>, you might save a day there. I just think there are ways that you may can adjust this thing to get where we need to be.

Chairman Hair said, I think one thing we have to be careful of, Commissioner Rivers, is can we shorten the time? Sure, but are we going to sacrifice the quality of what's got to be? I think that there's been so much effort put into this thing that, I think, you know, to shorten the time, we can –, we're looking for all these shortcuts, and I'm sure there's shortcuts out there, but my experience in business is shortcuts also cost you in terms of quality, and –. Ms. Stone, would you want to comment on that, you –, I noticed you were shaking your head at this process here, and then I'll recognize Mr. Nutting.

Mr. Newton said, while she's coming, I would point out that simultaneously we're also doing the zoning ordinance rewrite, and that's siphoning off a considerable amount of staff –, the staff resources. Chairman Hair said, okay, Ms. Stone.

Ms. Stone said, well, only from the Commission's standpoint, we have a lot of reading to do with each petition and sites to visit and when –, I mean, I think it's fine if you want to get your copy of your draft at the same time we do, but to try to accelerate something that's going to take a lot of thought, a lot of discussion, I don't want to get it wrong, and if we need –, if we reach a point where we want the input from the consultants, I want to have that time to do it. I don't want to turn out something that in a year from now we're going to find problems with. I mean, and we've got to have the public hearing. We've got to do this right, and I fail to see what the difference between now or three months later in the grand scheme of things is going to matter. So, I guess I just would err on the side of caution as far as you've got a volunteer board of 14 commissioners, it's a lot of reading, it's a lot of material, and it's in addition to what we do on a regular basis anyway.

Chairman Hair said, I'll recognize Commissioner McMasters and then Commissioner Murray and then Mr. Nutting. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you, Mr. Chairman. The speed with this is moving is seemingly what it is, that is, you do want to get it right, yet we have this –, when we suggested a moratorium, it created such an outcry in the community, and mostly because it was misunderstood, we met with the Homebuilder's Association, we met with –, I met with the President of the Chamber, I met with the Director of SEDA, and they all advocated sensible land planning. So we made a lot of progress trying to straighten that out. The fact that there is a lot of property out there that will make applications in a hurried –, potentially in a hurried fashion to get in before the Southeast land plan is adopted or before a moratorium could go in place, I'm beginning to think that we need to probably move as fast as possible with the moratorium so that you have the time to do this properly and not make errors and cause future problems and future expense. So, I'm just going to go on the record here that now that most everyone understands the importance of the Southeast land plan and the purpose relative to that plan of the moratorium, I hope that when we move forward very quickly in the near future with the moratorium that the public will understand it, that is, MP staff –, MPC staff, the

citizens advisory committee, everybody's working as solidly as possible to get this done, yet that does create some constraints and the moratorium will serve a very valuable purpose. So, having said that, I'm done.

Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, I don't know whether to ask Ms. Stone or Mr. Newton, maybe both of y'all can answer the question, but several months ago this Commission sent a resolution to y'all requesting people from the Board of Equalization be put on a committee for the tri-centennial planning. I understand that staff --, and I don't know who's staff --, decided that that needed to be on the technical committee. We did not specify a committee. I assumed it would be on the other committee strictly because that's where all the homeowner's associations and all the other groups are. I've been told that the MPC voted not to do that and send it back to the Commission, but this Commission has never received anything on it, and I want to know why we haven't received anything so we can act on it. Ms. Stone said, it was not the Board of Equalization, it was the Zoning Board of Appeals. Commissioner Murray said, the Zoning Board of Appeals. I'm sorry. Ms. Stone said, right, and basically --, was it the steering committee or the technical committee that it was --? Commissioner Murray said, the technical committee is what we were told that y'all were talking about. We did not specify a committee. Mr. Newton said, the --, when it came --, when the request came over, because of staff's having knowledge of the issues that generated the request coming from the Zoning Board of Appeals, the nature of their concerns were basically addressed to the technical committee, which was charged with the technical rewriting of the zoning ordinance itself that addresses the concern that they had, and for that reason staff identified that it would be more appropriate for them to be on that committee, and I think that they prefer to be on that committee because it was the working committee that got into the nitty-gritty of the ordinance that governed their operations; whereas, the steering committee was a umbrella-type committee that was looking primarily at the comprehensive plan, but with some relationship to the zoning ordinance. But since the Zoning Board of Appeals is a creature of the zoning ordinance and derives its power and authority and direction through the zoning ordinance, that's why we identified it as being on the technical committee. Commissioner Murray said, the last part of my question though, why have we not received anything back from y'all stating y'all's action? Mr. Newton said, that's my fault. I --, when the Planning Commission acted, we just have not gotten back --, staff has not gotten back to you. We will get that back to you. Commissioner Murray said, let me make one thing real plain. We are funding half of that study and I fought to get the money in there for the three years of funding for that study. I think it's important we do the study. We've only requested one person be put on that, and I think y'all need to reconsider that at y'all's next meeting. Ms. Stone said, Mr. Murray --, Commissioner Murray, maybe I can address that. Commissioner Murray said, excuse me just a minute. I also have asked for a listing of all the committees for this tri-centennial and every member of those committees. When I receive it, and I ask that it be copied to all this Commission, too. Mr. Newton said, hopefully you'll get that today. Commissioner Murray said, okay, and the reason I asked for that is I think one of the criteria that they used when they denied these people was that you only have one person from each organization. I don't think that's the case. I think you have quite a few more from particular organizations on some of these committees, and I will look through the list when I get it.

Chairman Hair asked, Mr. Nutting, do you want to make a final comment? I think we've pretty much beaten it to death.

Ms. Stone said, Commissioner Murray, this was when it was brought before the Commission, I would just like to tell you what I think I've heard. What the reason, I believe, it was voted down was because some other people's names had been proposed like a month ago for some of these committees and it was the consensus of the board that since this process has already started and we've been working on it for about four --, four months now, that to bring a new member in they'd be sort of behind the scenes, and they voted prior to your recommendations or your proposed people to close all new nominations, and I just stress --. Commissioner Murray said, well, that's well and good, but we have only made one motion that was unanimous --. Ms. Stone said, and I did stress --. Commissioner Murray said, -- by this Commission to put one person on there. Ms. Stone said, -- I did stress that --. Chairman Hair said, just one talk at a time please. Commissioner Murray said, sorry. Ms. Stone said, okay, and I did stress that this was a request from the County whereas the other people that have been requested have been requests from citizens, but it was still voted down and that was the reason, and I wanted you to know the reason. Commissioner Murray said, well, just keep in mind and your board needs to keep in mind, we are funding them and I think we are entitled to have that one person serving. Thank you. Ms. Stone said, and I will take that message back to the board.

Chairman Hair said, Mr. Nutting and then Commissioner McMasters.

Mr. Nutting said, I just want a second. The Chairman said that with all that goes on here and all of the time you've spent on it and all the time you will spend on it, and all the time the MPC and the citizens spend on it, we need to get this process right and get it clear and have a nice new package that even Mr. Hart will find acceptable, and that's got to take some time. But in the meantime, we have this damnable problem of things that you will agree even that need to be attended and there's got to be some kind of process so that it just doesn't keep on accumulating. I don't know anything more than I heard this morning about this three-store warehouse in Sandfly when the highest thing out there, I'm sure, is --, I don't think there's a two-story one out there, so it's just --, it's not compatible with the neighborhood, it's not compatible with anybody's plan, the old plan, the new plan or anything else. Chairman Hair said, we're not here really to discuss that --. Mr. Nutting said, well, I --, accept that it's an example, Commissioner, that if there's not some process, and you all are in control of the process, we've got to have some kind of process that keeps this stuff from happening when you know and you want it fixed, and that's what we're fighting for.

Chairman Hair said, thank you, Mr. Nutting. Chairman Hair recognized Commissioner McMasters. Commissioner Rayno said, Mr. Pierce would like to be put on the order, too. Chairman Hair said, okay.

Commissioner McMasters said, Ms. Stone, the –, I had asked for a overview of the various committees for the tri-centennial planning process, and what I received from MPC is that, but it does not tell us, as Commissioner Murray asked, who's members of these various committees. Furthermore, I've been on this Commission for eight or nine months and if four months ago you had some action to –, voted to close your nomination and appointment process, I've never received anything in my capacity about the tri-centennial effort. I have gone to the public presentations of it, but I think this Commission must receive anything and everything related to the tri-centennial structure and process at this point. I mean, I've been here eight or nine months. Many of the things that you and Mr. Newton are talking about that have been done, that is being done with our funding, we're not informed of. Ms. Stone said, okay. Let me just back up a second. Commissioner McMasters, I realize you're new. We did bring a booklet and, I believe –, I hope that each of you got a copy. That pamphlet that Tom Wilson did of how this was all structured –, did the Commission get a copy of that? You should have. About six or seven months ago. It was in a –, it was presented at the last workshop that we had and I believe it was prior to your election and, at any rate, it outlined exactly how these committees would be comprised. It gave a time table of what we expected as far as this process goes, and it answered, I believe, all of the questions that you are asking, and if you don't have a copy of that, I'll walk over there and get it for you today. Commissioner McMasters said, yeah, I'd like to have that, Ms. Stone. Can you tell me if that outline contained a date for the closing of nominations to the various committees? Ms. Stone, no, I don't believe it did. Commissioner McMasters said, did not –. Ms. Stone said, and I don't believe it –, I mean, at the time –, this was prior to the formation of these committees. This was from, you know, this was the project from the beginning. This –, and then the committees were formed as a result of this booklet or this outline and sort of going along with this process, and so by the time –, when this booklet was put together, the committees had not been formed. Commissioner McMasters asked, what is your plan or your methodology to keep this Commission informed of the developments of the tri-centennial committees, subcommittees, appointments, resignations –, I mean, I go to public and I get the public versions –. Ms. Stone said, obviously, we haven't done a good enough job. What –, my next hope was –, like I said, on December 10<sup>th</sup> for the elected officials will be your next workshop with the consultants present and also a program of where we are with the process, you know, to be able to answer any questions that you might have and any concerns or get any input. We hope to do this periodically throughout the process. Commissioner McMasters asked, have you scheduled within your planning calendar periodic updates to the Commission on the work of the tri-centennial various committees and subcommittees? Ms. Stone said, I don't believe that's included, but we can do it. Commissioner McMasters asked, would you ask your board to consider doing that so that we know that we have a regular, either monthly or bi-monthly, update on the –? Ms. Stone said, now sometimes these committees –, these committees meet about every six weeks, so it might be better to do it every other month because we may not have –. Commissioner McMasters said, whatever time frame you think is necessary to capture the most amount of information. Ms. Stone said, I'm sure Tom Wilson is keeping accurate information on how these –, because he heads up each of these committees, he gives out the documents; he heads the discussion, and I think if you all –, if you ever –, these meetings –, these committee meetings are open, and I know you all are busy, but if you ever have time to stop in, I was pretty impressed with the one yesterday. It was two hours, a lot of citizen input from the committee members, and I felt like –, Jeff [Rayno], you were there. You know, a lot of good constructive conversation took place. Commissioner McMasters said, but being asked last week –, can I get a schedule of your various meeting dates for your committees, and may I sit in? Ms. Stone said, yes, there's a calendar and I will make sure that you get that with your booklet and with a list of the committee members. Commissioner McMasters said, thank you very much.

Chairman Hair recognized Mr. Pierce.

Mr. John Saxon "Piccolo" Pierce asked, how y'all doing, County Commissioners? This tax [inaudible], tax [inaudible] about to retire and getting [inaudible], and to sit down there and give this money back to the people. The tax committee [inaudible] what we've done. A lot of the time we're giving money to the mentally retarded, [inaudible] vacation and everything. That's wrong. That's wrong because if you retire and give your money [inaudible]. Now's the chance to sit down and [inaudible], taxing their money. [Inaudible.] I'm retired. I get my money. I get retirement money [inaudible] and everything else. That's wrong because, you know why? The government's say control –, the government say this here, that if you retire a person, a retired person, you don't hire and get rid of them, and cause our tax [inaudible], because if you can't get rid of them, the Federal government comes down –, and the Federal government comes down, you're going to find out about that tax [inaudible] and all that. I know y'all sitting up there, y'all don't know nothing. I know the Chairman –, if he knows, he ain't going to [inaudible], and Joe Rivers, he would done something; Odell, he would have done something. All of [inaudible]. See, y'all don't know what's going on. I stand right down there and look at the people when they're doing things wrong because we are the taxpayers. [Inaudible.] Don't charge too high and tax the people. [Inaudible] and raise the tax. If you raise the tax [inaudible]. I worked, my daddy worked, everybody worked. I remember my great-granddaddy sitting down there.

Chairman Hair said, Mr. Pierce, I need to recognize Dr. Thomas, please.

Commissioner Thomas said, Mr. Pierce, I think we got your point, we understand it, and thank you. Mr. Pierce said, thank you. Chairman Hair said, thank you, Mr. Pierce. We appreciate your comments.

=====

## **ORDER OF BUSINESS**

By consent of the Commissioners, the First and Second Readings were taken out of order and were heard at this point on the agenda.

=====

**VIII. TABLED/POSTPONED ITEMS**

Unless action is contemplated at today's meeting, staff report and file material has not been duplicated in your agenda packet. The files are available from the Clerk. Those on which staff is requesting action are indicated by asterisk (\*).

1. **LEE MEYER REGARDING COUNTY TRAFFIC STUDIES: 1) 52-ACRE TRACT ON MONTGOMERY CROSSROADS; 2) TRAFFIC STUDIES IN GENERAL (COMMISSIONER MCMASTERS). Tabled at meeting of November 8, 2002.**

**ACTION OF THE BOARD:**

This item was not placed before the Commissioners for consideration.

=====

2. **BOARD CONSIDERATION REGARDING PARTIAL LIST OF PARCELS WHICH RECEIVED MAP AMENDMENTS DATING BACK TO 1987. Item was tabled at meeting of November 8, 2002. Please note that staff has prepared a report to include additional parcels. The total inventory will be complete and on your agenda for the 6<sup>th</sup> of December.**

**ACTION OF THE BOARD:**

This item was not placed before the Commissioners for consideration.

=====

**IX. ITEMS FOR INDIVIDUAL ACTION**

(Unless the Board directs otherwise, adoption of an Action Item will mean approval of the respective County staff report and its recommended action.)

1. **REQUEST BOARD APPROVE THE FOLLOWING: A GENERAL FUND M&O CONTINGENCY TRANSFER OF \$31,970 TO THE BOARD OF ASSESSORS FOR TERMINAL PAY RESULTING FROM THE RESIGNATION OF GARY UDINSKY.**

Chairman Hair said, I'll entertain a motion to approve. Commissioner Odell said, move for approval. Chairman Hair asked, second? Commissioner Rivers said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. Chairman Hair and Commissioners Rayno, McMasters, Odell and Thomas voted in favor of the motion. Commissioner Murray voted in opposition. The motion carried by a vote of five to one.) Chairman Hair said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the following: A General Fund/M&O Contingency transfer of \$31, 970 to the Board of Assessors for terminal pay resulting from the resignation of Gary Udinsky. Commissioner Thomas seconded the motion and it carried unanimously.

=====

2. **REQUEST BOARD APPROVAL OF A POLICY FOR USE OF ADDITIONAL REVENUES ARISING FROM THE AMENDED LOCAL OPTION SALES TAX (LOST) AGREEMENT.**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, gentlemen, this is conceptual approval –, request for approval of a policy that will allow us to, in effect, manage, certainly under your very close scrutiny what additional revenue might come in as a result of the LOST negotiations, and we have identified expenditures. For a moment if you'll look at page two of the staff report, there are eight in number. Most of these have been brought to your attention in the weeks past, but essentially we're saying we do have some issues that must be dealt with during the current fiscal year, which will not end until the 30<sup>th</sup> of June, and we'd like to have the opportunity –, option, if you will –, to deal with those expenditures as the priority for each comes about by setting up a restricted contingency fund for this revenue that is not currently a part of your budget.

Chairman Hair asked, any questions? Chairman Hair recognized Commissioner Rayno. Commissioner Rivers said, so moved. Chairman Hair said, we have a motion. Do we have a second? Commissioner Thomas said, second. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, I don't know that I necessarily agree with the staff plan of what to do with the money. I do agree with the concept of putting the money aside and not really making any decisions as to what to do with the money until we have our cash flow workshop in December. I think that would be a more prudent time to decide what to do with the money. County Manager Abolt said, we do understand that. I did not want it to be misinterpreted. We tried to write that Item B under alternatives only to use the term priority. We do not want to be unmindful of that, but obviously that would be an option.

Chairman Hair said, we have a motion and a second to approve it. Any further discussion?

Commissioner Rayno said, my approval to go along with putting it in restricted funds is in no way in support of the plan that's possibly been outlined. I just want to make that clear.

Commissioner Murray said, in other words, the only thing we're voting on today is to put the money into a restricted fund, not to spend it on anything? County Manager Abolt said, it's conceptual. We've done it once or twice in the last -. Commissioner Murray asked, and none of it can be moved to any other line items or anything? County Manager Abolt said, we don't have the money. No, sir.

Chairman Hair said, well, we'd have to approve it anyway. If it was transferred, we'd have to approve it. All those in favor vote yes, opposed vote no.

Commissioner McMasters asked, could this not wait until our budget workshop in the next couple of weeks? County Manager Abolt said, that's your choice, but there's really no need for it. This is a policy decision. We essentially want to be prepared, assuming everything goes well come the first of January, to manage the dollars and give you maximum control over it, but you would have maximum control just by setting up an unrestricted contingency -, a restricted contingency fund. In this particular case, we have issues that have been pending since the adoption of the current budget. We did not want to go forward without minding you of those and, in effect, assign a priority to them. Commissioner McMasters said, I think there's some desire on the Commission to have this revenue ultimately returned to our fund balance. Is this in any way going to -. County Manager Abolt said, you have full control over it. We're just asking for something that really wouldn't necessarily be required. We just think it's good business.

Chairman Hair said, all this does, Commissioner McMasters, is set the account up. Nothing -, no money's being procreated, no money's being transferred, nothing's -, no money -, any of that would have to come back to us individually, specifically for each line item. Chairman Hair recognized Youth Commissioner Green.

Youth Commissioner asked, what's the money going to be used for? Chairman Hair said, it's actually not -, this just sets an account up to receive the money and then as far as what the money would be used for, it would be a recommendation either from the Commission or the staff as to what to spend the money for and that's in the staff report. If you'd like to see it, we'll get you a copy of that. Youth Commissioner said, okay.

County Manager Abolt said, Mr. Chairman, just to point out for Commissioner McMasters's benefit, at every meeting you get this attachment information. It has the General Fund, the Contingency and Special Service District. We just have a special additional bind -. Chairman Hair said, it'd just be one [inaudible] -, yeah.

Chairman Hair said, all right, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Gellatly and Kicklighter were not present.] Chairman Hair said, the motion passes.

#### **ACTION OF THE BOARD:**

Commissioner Rivers moved to approve a policy for use of additional revenues arising from the amended Local Option Sales Tax [LOST] agreement by placing the incremental increase in revenue in a restricted contingency account in the General Fund/M&O budget. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Kicklighter were not present.]

=====

### **3. REQUEST BOARD APPROVAL OF TWO POSITIONS FOR MUNICIPALITY BILLINGS FOR INMATE HOUSING UNDER LOST AGREEMENT.**

Commissioner Odell said, I'll move for approval. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair asked, any discussion? All those in favor vote yes, opposed -. Commissioner Rayno said, I'd like to discuss this. Commissioner McMasters said, discussion. Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, it's my understanding that the Savannah Police Department has hired people just for the sole purpose of tracking prisoners going into the system, and it seems to me that we're duplicating a lot of this that we don't really need to have and there might be the possibility of using a computer program to do the same thing and, thirdly, the fact that we haven't been tracking them in a proper fashion in the past that we have to hire two new people makes me wonder what we've been doing.

Chairman Hair asked, Mr. Sheriff, do you want to answer Commissioner Rayno's question please?

Sheriff St. Lawrence said, well, first of all, when we quit billing the municipalities for the inmates, that was back when we had a count of about 750 or 800 inmates. I have now 1,400. That —, whatever we do has got to be done right. That's the reason I told the Chairman and I told Commissioner Murray at these negotiating sessions when I was there that we would have to have these two people to do the billing for the municipalities. I want to be able to do it right, I want people that can go to the municipalities when there's a dispute over the bills, and there's going to be some. I'll give you a for instance. If they're there at 8:00 in the morning, they're booked in at 7:30 and they get out at 9:00, they're going to have to be charged a day because I've got to pay the per diem on there. The 8:00 count every morning is what I pay the per diem on medical and on food service. There also the State, if I book somebody in there at 9:00, at 12:00 that's a day as far as the State's concerned. All this stuff's got to be ironed out. We may have to go to records manually at times to show them why we're billing them the way we're billing them, but somebody's got to keep up with it. When they come in the jail, when they're arraigned, when they go to preliminary hearing or when they are bound over to another court, which will stop billing the municipalities, and I understand if we have a 28 days to bill them, I think that's the agreement, I can't do it without them, and that's the reason I made that suggestion up front. The good news is, Commissioner Rayno, that I don't think it's going to cost you a dime and I'll tell you the reason why. We're getting a lot of applicants for jobs, about 75% of them I eliminate. I have openings right now. All these Federal jobs that's available and everything else and the fact that both corrective officers and regular deputies have to be certified by State law, I don't think it's going to cost you a dime, but I've got to have them to answer your question.

Chairman Hair said, also, Commissioner Rayno, I would suggest that you're correct that the City is thinking about adding people, but they're going to be looking out for the City's interest, not the County's interest. We need somebody looking out for the County's interest and I don't think that City Police Department person is going to be looking out for Chatham County. Let's stay in order. Commissioner Odell and then Commissioner McMasters.

Commissioner Odell said, I had similar concerns at the jail. I talked to both Major [sic] Holmes and I talked to the Sheriff. There will be a substantial amount of dealings between the Sheriff's office and the various municipalities. There will be a substantial amount. Are they doing some of that now? Yes. The problem was that in the LOST negotiations the municipalities tried to use that against us and so what staff did was to say how can we get around, how can we assure that we have the information, and in order to do that we've got to have X-number of people. I support the positions. I personally think that when the motion was made by Dean Kicklighter on approval of the LOST that we already voted for this, and we voted in favor of it.

Chairman Hair said, I think so and also, as the Sheriff pointed out, I remember every meeting that I went to, this has been said. The Sheriff stood up in every meeting, I know the one in Thunderbolt, everyone that we went to, Mr. Abolt, he stated that this would be part of the process, that these two positions would be required. He has stated that from day one. County Manager Abolt said, Mr. Chairman, we also put it in the budget notes too. Chairman Hair said, okay, so it's already in the budget. Any other discussion? Commissioner McMasters and then —.

Commissioner McMasters said, well, I think the County Manager —, this is already budget in your? County Manager Abolt said, no. No, sir, it's not. If I may, we made a budget not just saying it would be forthcoming. He actually has to get your approval to create the positions and that's what this is all about. Commissioner McMasters said, I understand that, but in the '03 budget that was passed, is there —, are there funds for these two positions? County Manager Abolt said, no, sir. When I reference the budget note, when we gave you that summary of all the options, we in effect talked about the option of how you might choose to use LOST revenue. When we did that, there was a footnote saying regarding jail fees, it was the requirement of the Sheriff that two positions be added. Those positions were not expanded on as to classification or pay raise. That's what the Sheriff is doing now. It is not currently in his budget. He needs your approval to put these positions in there. Commissioner McMasters asked, well, how is it that the Sheriff says it's not going to cost us a dime? Sheriff St. Lawrence said, what I'm talking about is salary savings. I've got more than enough salary savings already to pay for these clerks. Chairman Hair said, in his existing budget. Sheriff St. Lawrence said, I'm just telling you that. I need your approval to create the positions. I'm going to take two experienced people as of the 1<sup>st</sup> of December and train them into this —, these new positions, and I'm going to take the two new persons coming on that will train in the positions those people are leaving. Commissioner McMasters asked, Sheriff, are you anticipating in the creation of these positions and the procedural operations that these people will be working with that you will be in concert with the City of Savannah's people and the various municipalities' people so that we don't come up against what we came up in the LOST situation with everybody point fingers back and forth about accountability and numbers? Sheriff St. Lawrence said, we're going to do it right, Commissioner McMasters. There are disagreements, there's going to be some. We had a disagreement with the City of Savannah before. We'd have to pull bills and hard cards and everything else and, as a matter of fact, turn some matters over to the County Attorney's office because we were right and they were wrong. I don't know what else to tell you except to give them a bill that's accurate and if they don't pay it, then, you know, there's something that the County legal staff will have to handle, but we'll give them accurate billing. We'll be willing to go to the municipality with the bills or the hard cards and show them where they're wrong or whatever, or they can show us.

Commissioner McMasters said, two things. First, I wasn't suggesting that there weren't going to be disagreements over the numbers; however, the numbers that the cities put together in the LOST negotiation showed a margin of error that suggested far more than minor differences of agreements. We're talking error rates of up to 62%. Not my numbers, the municipal numbers. Sheriff St. Lawrence said, and I disagreed with that. Commissioner McMasters said, I know that you did. What I'm trying to get to, and I know you are too, is some sort of dialogue in advance of giving them the numbers so that when they get the numbers they don't have a chance to say, well, we had no input on how you calculated these numbers or when you calculated these numbers or what factors you used in these numbers. This is all an effort to protect taxpayers' revenues that this be done in a very fluid way and, granted, there will be differences,

but what I'm not hearing that you're telling us that you're going to go out in a proactive basis and lay ground work with these people so that when they do receive the numbers, that there's as little discussion as possible.

Chairman Hair recognized Colonel Holmes.

Colonel Holmes said, to answer your question, Mr. McMasters, the purpose and one of the duties and responsibilities of these two positions is to be on a constant and almost daily basis interaction between those persons that have been assigned by the municipalities in this billing process that we get our numbers together, they get their numbers together and we make sure that they are correct. Commissioner McMasters said, so, Colonel –. Colonel Holmes said, and there will be constant dialogue between our two staff members with the Sheriff's Department and the staff members that will be assigned by the municipalities. Commissioner McMasters said, so with the two new staff members, are you suggesting that on a daily basis your department will be verifying numbers back and forth with the municipalities? Colonel Holmes said, yes, sir. Commissioner McMasters asked, daily? Sheriff St. Lawrence said, they're going to question the legitimacy of our numbers simply because of the way people are booked and what times of the day they're booked in the jail and what we have to pay for. Now, unless –, unless you want to reach an agreement that if they come in at 12:00, it's not a day until the next day at 12:01. I don't think we can do it that way because we have to pay per diem fees for meals and for medical and so forth and so on.

Commissioner Murray said, your costs are going to be the same whether they come in for an hour or if they're in there for a day and half. Sheriff St. Lawrence said, plus when anybody is booked in that jail today has to be medically screened. It takes time to do that and there's a person on staff, which you pay for under the contract –, medical contract to do that, plus all the other booking procedures. So, if they come in and they get out two hours later, they're going to be billed for a day.

Commissioner McMasters said, okay. Really, I'm supportive here, okay, and what I'm trying to anticipate collectively is –, and understanding that we're not going to do this other than the best possible way in concert with the people that are going to be asked to pay those bills because we just met with them and they don't want to pay a lot of those bills because they didn't like the numbers, so –. Sheriff St. Lawrence said, they didn't want to pay them before. We're going to bend over backwards to satisfy all their questions about billings if we have to show the hard cards with all the times on them and everything else.

Colonel Holmes said, we want to make sure that the County's interest is taken care of. Commissioner McMasters asked, would it possible that once this new procedure and mechanism is in place, how often could you possibly report to us on the smoothness or lack of? Sheriff St. Lawrence said, as often as you'd like. Commissioner McMasters said, okay. Well, how about in the initial phases we hear it real regularly? Sheriff St. Lawrence said, how about we do it once a month? I'll do it however you want me to do it.

Chairman Hair said, I think once a month is appropriate. Commissioner McMasters said, okay. Sheriff St. Lawrence said, I can do it once a month at the end of February –, at the end of January we'll have one month's billing that we billed out for. Chairman Hair said, and I would suggest the methodology that we use for that would be a written, you know, statement and that would be in our packet. If we have questions, we would ask questions about it. They're always here to answer any questions.

Commissioner McMasters asked, and would that be not just –, not just the Sheriff's –? I mean, would the memo essentially say that, hey, I've presented this to the various municipalities and they have all agreed with the numbers with the exception of this, that or the other thing, that it's not just a one-sided County's report?

Chairman Hair said, it would probably be better to do it on an exception basis, just to –, just deal with the exceptions. Commissioner McMasters said, okay. Chairman Hair said, you know, just if we had, you know, the City of Savannah we had four disputes last month, three were solved, one still pending; City of Garden City, nine disputes, eight resolved, one pending, that sort of thing. Commissioner McMasters said, okay. Chairman Hair said, I think that way and then maybe keep it at a cumulative report, Colonel, if you could. Just put it on a spread sheet like an Excel spread sheet or something. Colonel Holmes asked, am I also hearing that the Commission would like to get a copy of the billing on a monthly basis? Chairman Hair said, sure. All right, Commissioner Murray and then Commissioner Rivers.

Commissioner Murray said, the only question I had is we discussed this during the discussions with all of it when he was saying he was going to need them, and that was software. Are you going to have to purchase new software or are you going to be able to use something you already have, or do you already know what program you're going to use to do it? Sheriff St. Lawrence said, you'll recall during the budget sessions we talked up here about having two systems that won't talk to each other. Mr. Leonard from ICS was here. They're on target to be on line the first of January. Commissioner Murray said, good. Sheriff St. Lawrence said, these systems talking to one another, so we're depending on it.

Commissioner Rivers said, Sheriff, my only concern –, I know you need this, but my only concern would be, you know, I've heard it won't cost us anything. The problem is that you've got enough money in your budget to take care of that now. Now, if this is a LOST, it's related to LOST and related to the municipalities and the LOST negotiations, then the other funds that are reoccurring funds year after year needs to come out of that LOST pocket. Mr. Manager? County Manager Abolt said, yes, sir. Commissioner Rivers asked, are we looking at that to offset the cost of those two people? County Manager Abolt said, yes, sir. If you look at the previous report which you agreed to set up the restricted contingency account, we've identified that as an expenditure. We also have some other reoccurring expenditures that are tied to LOST, and with your eventual approval they'll be spent for that, but right now the Sheriff's budget is currently funding. We have looked at new LOST revenue as discretionary. So, in effect, as opposed to a revenue

that goes back to the Sheriff, we, in effect, can give you ultimate discretion. In fact, because he's appropriately funded, you're doing the same thing. We're trying to keep it as simple as possible. Commissioner Rivers said, okay, I just want to make sure that you've got monies in there because cost savings of salaries is a one-time [inaudible] and that's a recurring revenue. Sheriff St. Lawrence said, there's a lot of money involved because they can be billed up to 28 days under –, what was agreed upon, and there's going to be a lot of money involved. We're not asking for any LOST negotiations –, we're just going to try to do our job to collect the monies due the County.

County Manager Abolt said, we have covered ourselves on –, on the page that Commissioner Rayno questioned me on as identifying two additional positions in his budget, now if he can get a budget stamp from Finance saying he's got the money, which I'm assuming he can, he can go out and hire these positions, but from the standpoint of fully inventorying all the unmet needs of this organization that you might choose to use LOST for, we've attempted to do that in those eight items on page two of the previous staff report.

Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, just in conclusion, this no-brainer, this is a win/win. We're going to have in excess of \$3 million. The municipalities, that fancy light show that we were shown was simply that. It was a light show, a diversion, and from their negotiation standpoint they had an obligation to question every number, but that's not a real legitimate question. It is a negotiation strategy. Will we be able to resolve all of their questions and concerns? I doubt it, and the reason is they don't want to pay, and we will never be able to create a system that is manageable that they'll agree to because it defeats their ultimate goal, which is they don't want to pay. Why should we approve these? One is we've already approved it in the LOST, I believe. Two is the Sheriff has the money in his budget already. Three is, we're going to be getting \$3 million. This is a cost to obtain that \$3 million. I mean, this –, we shouldn't be able to be unanimous on everything, but this we ought to be unanimous on. Commissioner Murray said, I don't know of anybody that's spoke against it.

Chairman Hair said, all those in favor vote yes, opposed vote no.

Sheriff St. Lawrence asked, can I say one more thing? I don't want to mislead Commissioner Odell. I don't think it's going to be \$3 million, and the reason I say that –. Commissioner Odell said, it's going to be \$2.8 something. Sheriff St. Lawrence said, they're already taking steps to cut back on the population. For instance, the City of Savannah effective December 2<sup>nd</sup> is going to hold their arraignments and preliminary hearings at the time, but that's going to save you money in the operation of the jail per diem cost and all. Chairman Hair said, in actuality, Sheriff, the extra cash plus the savings, I think, will far exceed \$3 million.

Commissioner Odell said, yeah, it was a –, the Chairman negotiated a good deal. Even though he and I disagree a lot, he negotiated a good deal. He should be given his props for additional funds that he got.

Chairman Hair said, thank you, Commissioner Odell. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Gellatly and Kicklighter were not present.] Chairman Hair said, the motion passes.

#### **ACTION OF THE BOARD:**

Commissioner Odell moved to approve the creation of two positions for municipality billings for inmate housing under LOST agreement. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Kicklighter were not present.]

=====

#### **4. REQUEST BOARD APPROVAL OF GREENSPACE PROGRAM APPLICATION. Note: Two staff reports apply to this agenda item. Attention is first directed to the memo from the County Attorney seeking your consensus as to contents of the intergovernmental agreement with municipalities.**

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, Dr. Hair, Dr. Thomas, gentlemen, this is not meant to be confusing, but there's a tab bit of complexity to it by first bringing to your attention, there are two staff reports on this, and the first deals with the intergovernmental agreement and what the board might wish to assert as your options under that intergovernmental agreement to use greenspace money from the State. On that in a moment I want to turn it over to the County Attorney, who's done an excellent job, along with other staff including MPC, in analyzing those options, and then the second staff report, which is still a part of this agenda item, deals with how you will tell the State, which has to be done quickly, on your wishes to use greenspace money. The importance of that, the agreement, the resolution if you will, is fairly simple and it references local share, but the significance of that local share is that if you agree to that second staff report as currently drafted, which we're told is the requirement of the State, then you are obligating yourself from my perspective of using SPLOST money of some amount, not specified at this time, not required to be specified, but you would be agreeing to use SPLOST money for greenspace.

County Attorney Hart said, this arose out of a plan that came up, oh, several years ago in which there's --, when the Governor's Greenspace Program came up that the County and the municipalities got together and decided that they'd like to have a unified program, and through that unified program and the leveraging of some of the greenspace money that we raised through SPLOST with the Governor's Program, you're able to do some things like acquiring the Demere tract out on Wilmington Island. As a general rule, most of the municipalities want to continue that program. It's been very effective. It cuts down on reporting requirements. The reporting requirements are very voluminous. You would get a package --, I reviewed something that's probably two inches thick the other day that was the original application that we sent in, and if we don't do this unified system, the municipalities are going to be doing their own program and we're going to have nine two-inch packages going in. It also gives us the opportunity of municipality and County joint projects through this method, and we basically have drafted an intergovernmental agreement that came out of a point memo which staff had gotten feedback from the various municipalities. That's attached in your package here, which basically followed that point memo, and the issues that I wanted to raise that were unclear to me and I felt like it was more of a policy decision than staff decision is we created an advisory board. We have --, currently have an advisory board now to try to help coordinate how we're going to do this, and we did a makeup in paragraph seven that consists of four appointees from the County, four appointees from the City of Savannah and then appointees from the various jurisdictions, and then an appointee list of five additional members that may be provided. My question to you is do you want a larger group or smaller group of people, and that's really --, the makeup of how that works is really up to you. They don't have say-so as to money, but they do have the ability to make recommendations and the concept was to try to prioritize how this money would flow. You can read in paragraph seven how we've set it up. If you want to make modifications to that, we will do that at your pleasure. Currently the plan in paragraph ten has two means by which you can go. One means would be generally to allocate based on the most recent census data which we have done under the old agreement. The additional way of doing that is to take the value of residential property, apply a percentage to it and it also provides what they call the 10% set aside method in which you set aside 10% to be deferred at a later date. Using the 10% method would probably mean less money to the County. It would also create some additional complexities in how you distribute that extra 10%. The method that we used by census data has worked pretty effectively through today. Paragraph twelve just sets forth some general criteria and follows the State rules on what needs to be done insofar as making applications for the process. The only other item that's in the intergovernmental agreement, which I --, or in the point memo which I took out and left a little more vague, but put in as an alternative under paragraph fourteen, was to set a SPLOST amount. I left the top part of that to be open, but you could leverage SPLOST if we decided to make a greenspace park of SPLOST. In the last SPLOST we passed we set aside approximately \$9 million for greenspace. The agreement as written in the upper portion says that if we do set aside money in SPLOST that's coming up and if it passes, that we will use that money to leverage the Governor's money, or the money coming out the State, to try to get some type of coordinated purchase of greenspace. Consideration to having some type of SPLOST amount set aside for greenspace is a policy decision. There are some very good reasons why you might want to consider doing that, the number one reason being that I think it will enhance the ability of Chatham County to acquire additional State funds, far more than what we have seen in the past assuming you're funded at the State level. The push seems to be to require participating share by local municipal governments. In other words, the government wants to give you --, the State wants to give you money for greenspace, but they'd like to see some type of matching contribution that you could have out of the County, and we're going to be competing against other communities. If we left as part of SPLOST the \$9 million allocation that's set aside for the current SPLOST, I think it would give us an awful lot of leverage in competing against other communities for additional State funding because I don't think a lot of other communities, with the exception of some of the bigger counties, are going to be able to do the kind of set aside that we currently have of \$9 million that we would raise by SPLOST, which when you go to the Governor's distribution plan is going to give you some advantage in obtaining a greater share of that funding. So I just point that out to you. These are things that really we need some guidance on whether you want to make the committee smaller or keep it the same, do you want to continue to use the census data, which we've done in the past which seems to work, and, finally, do you want to set as a target budget \$9 million or some lesser amount for greenspace --, or greater amount for that matter --, or do you just want to use the language that I've put in there in the agreement saying that if we do set aside something for SPLOST and if it is passed by the taxpayers, that we would coordinate that with the Governor's greenspace money to try to leverage the benefit that we could get to the community. Tom [Wilson], if you have anything else you need to add, please feel free.

Mr. Tom Wilson said, nothing else on the intergovernmental agreement except that it's part of the whole package that's going to the State with the grant application. If necessary, if there are significant amendments to the intergovernmental agreement, we can send that later and simply reference the document and hope they approve it. They may kick it back to us, but we could send it in at a later time, but we would like to include the intergovernmental agreement with the resolution and the grant application package if we can. The resolution is the other item you have, and that's required by the State to go with the grant application.

County Manager Abolt said, Tom [Wilson], let's do it in steps. Let them deal with the intergovernmental agreement first. Mr. Wilson asked, pardon me? County Manager Abolt said, let's let them do it in steps first. Let them deal with the first issue.

Vice Chairman Thomas said, thank you. Commissioner Murray and then Commissioner McMasters and Commissioner Rayno.

Commissioner Murray said, Jon [Hart], most of what you were saying and all that, we were one of the first counties in the State to go after some of the State's greenspace money. We received that money and it was for the Demere tract. That's why we had to subdivide that track because they've got certain restrictions on property that you purchase with that money that we had, but if I'm not mistaken, through that process didn't we have an agreement with all the municipalities that if they would allow us to use all this money this time coming into the County then the next couple of years that we would --, they would be allowed to use those funds coming in? County Attorney Hart said, well, what

we did was we allowed the municipalities to swap out some of the Governor's money for what we call SPLOST money, and it was kind of a win/win situation. We had a project that would qualify for all of the requirements under the Governor's Greenspace Program so we could take the money, including something that might go to municipalities, and go ahead and acquire that potential park. At the same time, just as you said, the Governor's Greenspace Program had some very severe restrictions on use. At that time there were some more questions –, it was not well defined at the regulations at that time, so the decision was made to give some of the cities as we acquired some of the SPLOST greenspace money, substitute that money for the money that they had given us on the Demere property, which gave them a little more flexibility in their planning on greenspace, something that –, there was a greenspace project, but because it didn't fall within the regulations of the Governor's Greenspace Program, it couldn't be used for that, but if it came through them as SPLOST funds, they had a little more flexibility, and that –, that's something that's very important to municipalities because they're a little more urban than, say, some of the unincorporated portions of the County. So, that's worked very well. The municipalities have like it and the impression I get is they'd like to continue this program, especially with the centralized planning program.

Commissioner Murray said, the other question I have is we keep talking about if we wanted to use some of that money in SPLOST for greenspace. We've already voted to do that. That was –, a decision was made by this Commission to continue greenspace a couple of meetings back. County Manager Abolt said, if I may, what you did was give us the authority to include in the laundry list greenspace. Until you finish your negotiations with the cities and craft an intergovernmental agreement, it will not be a done deal, but I'm glad you –, very glad you asked that or made that comment because whatever you choose to do in greenspace it's very important as you go forward in meeting with the cities, this is not the County's money. This is the community's money and the cities benefit as much as the County as a whole do from this greenspace money. So if you choose hypothetically to say let's use \$9 million of SPLOST, I do not want to put yourself in the position where you think that's a craft where you've committed that for the County's use. Far from it. This is a countywide benefit and should not be perceived as you wanting something exclusively for the interest of Chatham County. Commissioner Murray said, and I think it needs to be that way and I'm glad this is being worked out where it's all the municipalities and the County working together towards it. I think it will help us secure that State money a lot quicker than it would be if we went after it individually. Now if I'm not mistaken, for the last –, the first year they had that, we received a little less than \$1.2 million. Is that correct? County Attorney Hart said, I think we actually –, we actually got a little bit more than that because we were so quick at getting ours in we got our share and then the deal was that at the end of the year any unused shares would be redistributed, and I think we were the first to qualify and the first year it was out a lot of the counties weren't able to get their application in time so when they distributed out the money, there was a little pot left over so we ended up picking up a couple extra hundred thousand dollars at the end of the year. Chairman Hair said, I think it was like \$1.5. Commissioner Murray said, the reason I'm asking these questions, I received a copy of a group's newsletter that somebody had given me the other day and there was a lot of misinformation. It was saying that the County never received that money. We did receive the money. It said that you, as the County Attorney, are the ones that kept the deal on all of it. That was not the case either. You did the legal side of it. As far as the Demere tract, I'm the one that initiated the conversations with them two years prior to purchasing the property. So there was a lot of efforts put in there and I don't know where all the information came from, whether they called somebody out there and got information or called somebody else and got information, but the facts of that article were inaccurate in most of it. But anyway –.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, I'd like to understand this specifically. The municipalities –, Bloomingdale, Garden City, Pooler, Port Wentworth, Thunderbolt, Tybee, Vernonburg –, all going to participate in this greenspace program. This –, are they going to pay anything for the participation? County Attorney Hart said, no. Commissioner McMasters said, okay, let me point out something. It says that the –, on page two of the intergovernmental agreement –, the County through the MPC shall be the coordinating body responsible for the coordination, implementation of County and municipalities united –, unified planning and implementation of the local greenspace program. On page three it says the Chatham County Finance Department will provide support. On Page four it says –, I'm sorry. On page five it says the County and each municipality shall be responsible for providing all information required by the State of Georgia and the Georgia DNR Greenspace Program and to and through the MPC. Municipalities may request that the MPC provide assistance, assemble information. They don't fund MPC, and I'm very supportive of greenspace, but why are we doing this exclusively at County expense? County Attorney Hart said, because the County and the City –, I mean, it's really ultimately a policy decision among the municipalities and this Commission, but the lion's share of the money –, probably 80% or 90% –. Mr. Wilson said, about 80%. County Attorney Hart said, – 80% of the money will either be spent in the City of Savannah or will be spent in the unincorporated parts of Chatham County unless the County enters into an agreement to spend part of those monies in a municipality, and you've got to have somebody and some agency to take the lead so that you keep these things qualified. They're very administrative intensive and you don't need to –, there's enough money involved here for the good of this community that you really don't need to have somebody not watching it very closely and slip up on an administrative deadline and lose your chance at a couple of million dollars funding. Commissioner McMasters said, well, really Mr. Kicklighter suggested that these various municipalities in his district have very fine planning boards and staffs. The –. Commissioner Rivers said, I might disagree with that. Commissioner McMasters said, okay. The point of this is –. Commissioner Rayno said, the same ones that expected the Wild Cat Bridge. Commissioner McMasters said, – okay. The point of this is, is there some way, either through the interest that may accumulate on this money received that we can reimburse the County since we're bearing yet again the lion's share of these costs?

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, we're allowed to compute over it in SPLOST and, in fact, can use that overhead. County Attorney Hart said, but it would have to come out of the SPLOST side of the equation –. County Manager Abolt said,

SPLOST side. County Attorney Hart said, – because the legislation was drafted very strictly when the Governor's greenspace money to make sure that if they put a dollar in greenspace, it went into a dollar for acquisition. If you read the Greenspace Act and this intergovernmental agreement, and flip over here to what a –, under paragraph twelve what a municipality or a County has to do to apply to get the greenspace money, you will note that in the requirements, as well as paragraph thirteen, I make them certify that the costs will not include something very near and dear to some people's hearts, attorney's fees, legal expenses, surveys, maintenance of the property and responsibilities, and the purpose of that is because it's excluded under the action. So our ability to recoup administrative expenses under the Greenspace Act itself is probably precluded. That's not to say that we couldn't charge some type of an administrative fee, so to speak, if it's coordinated with SPLOST on the SPLOST side of the equation and maybe rightfully so. Commissioner McMasters said, well –, go ahead. County Manager Abolt said, the important thing there, Commissioner McMasters, and I don't mean to use an oft-used expression, but there's a great moment to hold that thought when you meet with the cities because the scale of this program and what's worthwhile means it's beneficial to all and the County should be very proud that you're taking the leadership of doing this, but at the same time the cities should not be –, and I don't mean this in an unkind way, but they should not be allowed to say this is a County program because you put your finger right on the issue. This is not a County program.

Commissioner McMasters said, clearly, clearly, and I think –. County Manager Abolt said, it's a very important thought. Commissioner McMasters said, in a perfect world the City of Savannah would be volunteering to share some of these costs, and I don't know that –. Chairman Hair asked, can I partially answer that, Commissioner McMasters? Commissioner McMasters said, by all means. County Attorney Hart said, they look at that through the MPC. Chairman Hair said, I –, you know, I think the intent of what you're talking about is very valid and I agree with the intent, but I think we've got to be a little bit careful here that we don't get into debates over \$3,000 or \$4,000 and then later on that comes back to haunt us when something else we negotiate with the cities on. When I talk to the cities all the time, one of the things that they constantly remind me –, Mayor Adams is excellent. He's a dear friend of mine, and he constantly reminds me of this –, the City of Savannah is inside Chatham County, and even though these municipalities are a municipality, they still pay County taxes, and I would hate to see us get to a point where we get into a big dispute with Garden City and Pooler and Bloomingdale over \$2,200 a year or \$1,700 a year when, you know, when they really do pay County taxes, and if this was really a large significant amount, if it was \$100,000, I'd say sure, we need to charge the cities part, but I think we've got to be a little bit careful that the amount of money we might recoup might not be worth getting into a fight over that might come back to cost us more money later. Commissioner McMasters said, well, Dr. Hair, look at the complexity that the County Attorney has appropriately notified us of, of this comprehensive program that involves interfacing and we want to take the lead on it with eight or nine municipalities, all the forms, all the requests that are in this resolution that can be made by those municipalities within the scope of this project, and I suggest that it could very well be significant money. I'd also like to point out that your friend and my friend, Mayor Adams, is always pointing out, aptly so, that everybody pays M&O, but we also need to remind him that we provide jails, we provide courts, we provide libraries. We provide an awful lot of things at a much lower millage rate than does the City of Savannah. Chairman Hair said, I'm just suggesting that we might want to look at the cost benefit. Is the cost really worth –, you know, it may be. I'm not suggesting it's not, Commissioner McMasters, I'm just saying we need to maybe look at that. Commissioner McMasters said, from what we're being told the complexity of this, it screams to me that there's going to be some costs associated with it and we're not exactly a real solvent county.

County Attorney Hart said, two points. The City of Savannah has been very cooperative about participating in this because they happen to think a unified program raises us on the profile level at the State level, and you have to recall if this is being administered by the MPC. The City of Savannah, you know, contributes substantially towards the MPC budget. The other issue to the smaller municipalities, which was one of the reasons we tried to swap some of the SPLOST dollars out for greenspace money when this program first came out, is when the allocation came around, it was about 82%-83% originally going to the County and when you divided the other 13% up among the various municipalities, the numbers you were talking about were \$6,000 to \$25,000. Okay? And to get a real recapture of the administrative costs to reflect true dollars, you know, you could have some of the smaller municipalities getting \$6,000 in greenspace and spending \$8,000 in administrative costs. So what we ended up doing there was trying to have the administration of the program to keep a unified system within the City and County and gave them dollars that they didn't have to account for quite so much under the SPLOST program, and that's all I'm saying.

Commissioner McMasters said, well, I'm not –, let me suggest this. Granted, a good point, MPC is funded by the City of Savannah and Chatham County. Would it be possible to create an administrative charge for the smaller municipalities for participation in the work that we're doing and the City of Savannah is doing to help defer the costs to both the City and the County? County Attorney Hart said, it would be easier to do it as an administrative charge under your SPLOST program, you know, some half percent. I'd have to give some thought to what that ought to be, but it would be easier to make the administrative charge on the SPLOST set aside because the legislation is written so restrictive and the penalties are great. If you spend money for –, you spend this greenspace money for a non-greenspace item, they can require to forfeit the funds. Commissioner McMasters said, you've done a good job of pointing out the complexities and restrictions on it, but I think we're onto something here. If you could look at creating an administrative –, a reasonable administrative cost that could be submitted to the smaller municipalities to facilitate this work, I think that would be a very reasonable thing.

Commissioner Rivers said, Mr. Chairman. Commissioner McMasters said, I want to [inaudible] back in a minute, but go ahead. Chairman Hair said, sure, go ahead, Commissioner Rivers. Commissioner Rivers said, you know, I think, you know, we entered into an agreement with cities and municipalities to allow us to utilize all of the greenspace money at one point for the unincorporated area of Chatham County. I think we've got a good agreement that we have between us, and to upset this appletart just for a few pennies or a few nickels don't even make sense. I mean, I think we have to understand the nuances of the whole ramification of what we've got here in an agreement and let's try to keep solidified. We get into that thing of this municipality, that municipality, who's paying more and who's paying this

–. Chairman Hair said, my other fear and I totally agree with Commissioner Rivers, my other fear here is that we go and say, okay, we're going to charge them \$5,000, just to use a number, okay, and they say, okay, well, we're not going to pay the County \$5,000, we'll do it ourselves, and then you're going to lose the coordination effect that we could do by having the County do the whole thing. So, I agree with Commissioner Rivers that, you know, we may be, you know, getting a few thousand dollars in the till, but we maybe, you know, paying the price in the sense of a coordinated greenspace program. I have a little fear of that.

Commissioner McMasters said, if I just have one other subject on this. Chairman Hair said, certainly. Commissioner McMasters asked, why don't we get –, is it possible to get us some estimation of costs? If this is minor costs, fine, but if this is –. County Manager Abolt said, I don't want to say that it's not an issue, but I want to again state, we are allowed to take an overhead from SPLOST and we do fund, very conservatively, but we have since 1985 certain County services. We understand fully what your wishes are. Without another agreement, without anything else addition that has to be done, each year when we ask the auditor to look at the overhead that we can legitimately charge for other funds, we'll also include SPLOST as we have in the past and we will underscore what we're doing for greenspace. It will be done without any more [inaudible]. Commissioner McMasters said, Russ [Abolt], I understand that we're accomplishing the same thing. The difference is by doing it the way I was suggesting, it helps the smaller municipalities better understand what their money's going for and not just the usurping power of the County through the language to take an overhead expense. It's a learning process. Having said that –, having said that, if there's some way to calculate or project what we estimate the total costs on this for, that would help us make the determination. Secondly, and lastly, the –, page four says that a greenspace advisory committee –. Commissioner Odell said, John [McMasters], you said secondly and lastly once before. I'm just keeping count. Commissioner McMasters said, thanks. I can count on you, Harris [Odell]. The body shall –, this is the advisory committee, and we had discussions earlier this morning about committees, and this committee, if I understand it correctly, the County Attorney, they're going to identify and prioritize sites for purposes of acquisition. They're going to help us spend how much –, how many millions of dollars? County Manager Abolt said, you'll set that. Last time was \$9 million. Commissioner McMasters said, okay, \$9 million. So we're going to create an advisory committee. We're going to have, the way this is written, four appointees from the City of Savannah, four appointees from Chatham County, and all the municipalities one appointee. I would like to suggest as a motion from the County's four appointees, not only for this advisory committee, but for all MPC appointments, that the appointee must reside in the unincorporated area of Chatham County prior to being on either the MPC or this –, any of these –, of this specific planning advisory committee, greenspace committee.

County Attorney Hart said, to respond to that, I don't think there's anything in this body insofar as the greenspace inter-governmental agreement that limits you as to where your four appointees come. That's solely in the discretion of this Board. Commissioner McMasters said, I understand that. I make a motion that we –, that we exercise –. County Attorney Hart said, well, let me do the other half of that. Chairman Hair said, don't do them in the same motion because I don't think we can make that decision. Commissioner McMasters said, I'll do them separately. County Attorney Hart said, the other half of that question is how you're going to do your appointees to the MPC, and I really do think we need to do those separately, and I need to look to see whether there's a requirement –, because we've got a creation body there. I just haven't got that stuff in front of me. Commissioner McMasters said, well, in our CAT appointments they're specifically designated where they must live. County Attorney Hart said, I understand that. Commissioner McMasters asked, do we not have the authority to designate whether or not –. Chairman Hair said, he's saying he doesn't know. County Attorney Hart said, I don't know. I don't have the 48 boards –. Commissioner Rivers said, enabling act. County Attorney Hart said, bylaws in front of me. That's all. I need to go look at that. Chairman Hair said, I think the Attorney needs the time to look at the MPC. We certainly can make the other motion. I think we can vote on that one today with no problem. Commissioner McMasters said, okay, well, how about making the other one and let it go forward and the County Attorney discovers that it's inappropriate and we'll correct it. Commissioner Murray said, let's do –. Commissioner McMasters asked, do one at a time? Chairman Hair said, well –. Commissioner McMasters said, well, the first motion is I'd like to –. Chairman Hair said, you've got to do them separate. Commissioner McMasters said, okay. The first motion is that the –.

Commissioner Rayno said, wait. Why do you want to do something and then find out it's wrong and then undo it? Why don't you just –? Chairman Hair said, well, we're only doing the motion that we know is correct first. Commissioner McMasters said, yes. Okay, the greenspace advisory committee, I move that the appointments from the County, that those appointments [sic] must live in the unincorporated area at the time that that –, that they begin their –. Chairman Hair asked, does that motion have a second? Commissioner Murray said, I'll second it.

Chairman Hair asked, any discussion of that motion? All those in favor –. Commissioner Odell said, discussion. Chairman Hair said, okay, Commissioner Odell.

Commissioner Odell said, just a point of clarification, John [McMasters]. Commissioner McMasters said, sure. Commissioner Odell asked, what is the rationale? Commissioner McMasters said, well, these people are going to be –, if you read through this, they're going to help direct where this money is spent. I'd like –, and a lot of other things, Harris [Odell]. So it only makes sense, as it does on the other Boards that the County appoints, that the people live in the areas that they're being affected.

Chairman Hair said, I totally agree with the motion. I think if –, without this motion you could wind up with nobody from the unincorporated area –. Commissioner McMasters said, right. Chairman Hair said, – on there because, you know, and I think it's a good motion. I really do. Commissioner Odell said, basically the City of Savannah would have four –. Chairman Hair said, they have four, we'll have –. Commissioner Odell said, and we'll have four. Commissioner McMasters said, and each municipality gets an appointment, but they're not –, as I've already said, they're not paying any money for it. Chairman Hair said, I think it's a good motion. I do. Commissioner Odell said, each municipality gets one. Chairman Hair said, they're all going to get one. Commissioner Odell said, they get one each. Chairman

Hair said, right, and the City gets four and then we get four. Commissioner McMasters said, you're going to have eight independents against eight, City of Savannah and Chatham County, and they're going to decide where the money is spent. Chairman Hair said, I don't have a problem with that.

Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioners Gellatly and Kicklighter were not present.] Chairman Hair said, the motion passes. Now, second motion. All right, Commissioner McMasters, do you want to make a second motion?

Commissioner McMasters said, yeah, I'd like to make a second motion. Pending County Attorney endorsement that MPC appointments that we're allowed from the County side –. County Attorney Hart said, I don't endorse motions. Commissioner McMasters said, I said pending. County Attorney Hart said, yeah, well, I don't endorse one way or the other. I have no say-so over what motions y'all pass. All I'm asking for is to allow us to look at the creation documents of the MPC to see if –, what the requirements are for the distribution of membership. That's all I'm asking.

Chairman Hair said, Commissioner Rayno made a good point. I mean, I don't know –, why do we need to make a motion today knowing we might come back and revise it? Why don't we let the County Attorney look at it and then come back and make a motion? Commissioner McMasters said, okay, fine, fine, fine. Chairman Hair said, all right, do we have a motion to approve the greenspace application? Madam Clerk, do we have motion to approve –, I was out of the room? The Clerk said, no, we do not. Chairman Hair said, okay. Commissioner Odell said, so moved. Chairman Hair said, we have a motion to approve. Do we have a second? Commissioner Thomas said, second.

Commissioner Rayno said, I was still on the thing that –. Chairman Hair said, okay. Commissioner Murray said, which one, what are we approving? Chairman Hair said, we're approving the greenspace application. County Manager Abolt said, first staff report. Commissioner Murray said, just the application. Chairman Hair said, yes. Chairman Hair said, all right, Commissioner Rayno and then Dr. Thomas.

The Clerk asked, who made that motion? Commissioner Odell said, Odell. The Clerk said, thank you. Commissioner Thomas said, and I seconded it.

Chairman Hair said, Commissioner Rayno and then Dr. Thomas.

Commissioner Rayno said, I was looking for some clarification from the County Manager. You had mentioned earlier the comments about future obligations of money by the Commission. Could you elaborate on that please? County Manager Abolt said, that's what I wanted to point out at this point. It's not dollar specific. The Attorney referenced whether you wished to do that or not. I want to make sure that you understand, and it's very important in the next staff report, that you realize by passing the drafted resolution, you're telling the State there will be a source of funds to provide the necessary match. The only source we've had in the past has been SPLOST. So even though I'm assuming everything you've motioned in the past will evidence itself in the final SPLOST agreement, I did not want you to be unmindful of that. The issue will be how much money. Will it be \$9 million? It may be less, and then as Commissioner McMasters and others have said, to remind the cities, if that be your choice, to include a fairly healthy sum, and it's not the County's money, it's the entire community's money. Commissioner Rayno said, it just seems to me

Commissioner Rayno said, it just seems to me, and it's just my opinion, obviously I can't speak for the rest of the Board, that to approve this today without having had initial discussions with the municipalities in a SPLOST meeting and then essentially voting on something which is pretty much a blank check, not knowing how much money you're going to commit, that it seems to be putting the cart before the horse. County Manager Abolt said, if I may, remember about an hour ago the Attorney said very well about all these deadlines in MPC's situation. This is not a self-imposed deadline. This comes from the State, and to keep ourselves in the queue for State greenspace money, we have to do this. Commissioner Rayno asked, what's the deadline? County Attorney Hart said, December the 30<sup>th</sup>. Mr. Wilson said, November 30<sup>th</sup>. County Attorney Hart said, November 30<sup>th</sup>.

Chairman Hair recognized Commissioner Thomas.

County Attorney Hart said, one question that may clarify Commissioner Rayno's interest there is if you read in the intergovernmental agreement, paragraph fourteen as we drafted it, the intergovernmental agreement makes the SPLOST money contingent upon an unspecified sum being in the referendum and being approved by the voters. So the intergovernmental agreement in the original language doesn't commit you to that, but says that if we do designate some amount for greenspace and if it is approved, that it will be coordinated with the Governor's program. Commissioner Rayno said, okay, now is there any anticipation as to what the maintenance and operation costs are going to be at these greenspace if we decide to move forward? County Manager Abolt said, we're not project specific yet. We have an entire greenspace program that the MPC developed six or seven years ago as part of our comprehensive plan. Until you actually decide, we're not going to be able to answer that. Now, how you can go about it, as you went about it last time, the \$9 million was developed by MPC staff as a compromise and there were a few parks or areas listed like drainage, [inaudible] and things like that. Because of the opportunity Commissioner Murray really made possible to get the Demere tract, which quite frankly was a question of great timing because the Demere negotiations began before this even was an option, so we married the two together, and we cannot answer that question. I'm not trying to avoid it, but I'm trying to preserve all your options and allow you to take advantage of the State money –. Commissioner Rayno said, okay. So as a decision mechanism, we do have the historical prospectus of what we've already done. Is it possible that the staff could comprise a –, just a ballpark figure of what the maintenance and operation costs were for past greenspace projects after they were built? County Manager Abolt said, the only one you have is the Demere property and right now it's dormant.

Commissioner Rivers asked, don't we have the –, don't we have the parks along the Truman? County Manager Abolt said, no, sir. Commissioner Rivers asked, wasn't that included in the greenspace? County Manager Abolt said, no, sir. That wasn't greenspace. That was SPLOST money. You were able to pick up a little greenspace money on the yet to be designed, really, it's designed for Triplett Park and all that stuff. Commissioner Rayno asked, how about the bike paths? County Manager Abolt said, you do have going forward certainly full control. You also have full control of the Demere tract. Commissioner Murray can hit it right on the head because the nature of the negotiations, the fact that without the decisive action of the previous County Commission, we would have lost a major piece of land, but at the same time you did it from the standpoint of holding the property and you also said, because the previous owners wanted it, it would be a passive park, but we did not want to lose the chance to acquire a major park on the Islands side of the County. County Attorney Hart said, it needs to also be remembered that if we're going to greenspace money versus SPLOST money that the restrictions that are in the statute are pretty –, pretty much require a passive use. I mean, you can't put up lot of maintenance intensive issues. You might be able to put up a restroom or something like that, but –.

Chairman Hair said, that's the whole idea behind greenspace. Commissioner Rayno said, so you're just looking at dormant property pretty much. Just for the –. County Attorney Hart said, yeah, but you can have walking paths or hiking paths and maybe some kind of little outdoor thing there, but it's got to be pretty –, pretty limited. Covered by an environmental covenant or something along those lines. Chairman Hair asked, are you through, Commissioner Rayno? Commissioner Rayno said, yes, thank you. Chairman Hair said, Dr. Thomas and then Commissioner McMasters. Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, very briefly, I just wanted to remind us and maybe I may have missed something, but in terms of the greenspace program and other programs that we have been working with very diligently through cc, I do want to remind us that when we think in terms of these various programs, we must think in terms of a coordinated effort, and I think the intent and the purpose of the language of this program speaks to that because we did have cooperation from the municipalities to coordinate this particular program, and the municipalities also need to understand, too, that they are a part of the fabric of Georgia. Even though they may be unique in their concerns of their individual communities, they are still a part of the State of Georgia and Chatham County.

Chairman Hair said, thank you, Dr. Thomas. Commissioner McMasters and then I think we're ready to vote after this. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, point of clarification, Russ [Abolt]. What County maintenance efforts, not how much, but what type of County maintenance efforts typically are required in greenspace areas? County Manager Abolt said, well, sir, at this time the only greenspace area we really have is, you know, the Demere tract under the definition of this law, so we're brand new at this, and we did understand, number one, that we did not have the money to do any type of maintenance, it was purely a holding action, and the same as we go forward. You have –, you're fully in control of this. This is an application to get funds yet designated. Once the money comes in, then we can make those very exact responses to the questions you asked. At this point, this is a brand new program. The County was the first in Georgia to take advantage of it under Governor Barnes. Hopefully, it will continue and with SPLOST we can again be at the head of the list saying this community's got its act together. Just like Commissioner Thomas says, you know, we have been recognized statewide as being an organization –, a collection of municipalities in the County that know what they're doing. Chairman Hair said, and that work together.

Commissioner Rivers said, but, Russ [Abolt], I think –, I think what he's getting at is with the Demere tract have we done any cutting or –? County Manager Abolt said, nada. Chairman Hair said, no. County Manager Abolt said, no. County Attorney Hart said, it's just woods there. County Manager Abolt said, there was a road that went in there. County Attorney Hart said, yeah, there was an old road in there and we ran the motor grader over that road a few times, but other than that, we haven't done anything.

Commissioner McMasters asked, in your many years of government service, perhaps in other communities, do you have any experience with greenspace? County Manager Abolt said, yes, sir. Commissioner McMasters asked, you do? County Manager Abolt said, yes, sir. Commissioner McMasters asked, from those experiences what would you tell us –. County Manager Abolt said, it would vary based on the desire of a community. You might want to have a very active greenspace program. The first community I worked in back in the mid-60's, Oklahoma City, had a very expansive greenspace. It actually looped the entire downtown. It was a way of planning the community. Greenspace right now, as we've gotten to in this State, really deals with holding. Commissioner McMasters said, but my question –, not to interrupt, I apologize –, is maintenance costs, not how well they're received or how well they work or –, but maintenance costs. County Manager Abolt said, it's important to explain by definition of greenspace. Greenspace over the last several decades has evolved. Greenspace at one time were beltways. They, in effect were made to –, they took advantage of the wisdom of General Oglethorpe 200 years after Oglethorpe. They realized in many cities throughout this country there was no open space, that people needed a place to get away from the concrete jungles. So then greenspace came about, and that greenspace was very labor intensive. It dealt with parkways, it dealt with walkways, required continual maintenance. Now we're into this century and, as Commissioner Thomas said, in Georgia greenspace means something completely different. Chairman Hair said, almost like a buffer. County Manager Abolt said, yeah. Greenspace means preserving what you have before you lose it. Commissioner McMasters said, so your answer really is –. County Manager Abolt asked, how long is a string? Commissioner McMasters said, no, no, that's my question. My –, to summarize here really, in the contemporary, modern Chatham County, manifestation of –. County Manager Abolt said, [inaudible] barely. Commissioner McMasters asked, do you project virtually no maintenance costs? County Manager Abolt said, I project you'll have full control over it. At this point you can take advantage of greenspace and not have to worry about it. Commissioner McMasters said, and not have to worry about it from a future financial maintenance prospective? County Manager Abolt said, because you'll be able to know the

answer to that question when you come down to specific property, and I will have for you the maintenance costs associated with that property. Commissioner McMasters said, thank you.

Chairman Hair said, Commissioner Murray and then we're ready to vote hopefully.

Commissioner Murray said, just hopefully to try to clarify some of the questions about the cost of the greenspace and the maintenance on that. The Demere tract is right now the only tract that we have that we have purchased that way. The State has much more restrictive covenants or ordinances or whatever that you can do and can't do on that property. We did our own 20-year, self-imposed covenants on the property not to do anything other than a passive park with trails and those type things on it. As far as cost to maintain that property, you eventually will have to spend a little bit of money, but not much, because you only go in and clear the road and things like that that you would have, but the property itself as greenspace stays as it is in most cases. We are right now in the tri-centennial plan trying to redo some zoning ordinances and stuff. Greenspace is part of that and it's important that if we go do the rezonings and all these other things that we are doing that MPC is working on, it's important that we maintain and protect greenspace throughout the Chatham County, and the only way I see we can do it is countywide, not just the unincorporated area, and that I think is the reason that we're trying to put the groups together. As far as the funding and non-funding for MPC, I think that that can be addressed if the SPLOST passes that those items can be taken out of that legally and legitimately. I think it's a good deal.

Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. Chairman Hair and Commissioners Rivers, McMasters, Murray, Odell, Gellatly and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Kicklighter was not present.] Chairman Hair said, the motion passes.

County Manager Abolt said, Mr. Chairman, you have to deal with the second staff report, which essentially is just the resolution but it's a -. Chairman Hair asked, do we have a motion for the resolution? Commissioner Odell said, so moved. Chairman Hair asked, second? Commissioner Thomas said, second. Commissioner McMasters said, the resolution with the modification that we made that the members -, with the modification. County Manager Abolt said you just did that. Chairman Hair said, we've already got that motion. County Manager Abolt said, you did that, but now you're dealing with the second staff report which I introduced to you.

Chairman Hair said, Commissioner Odell made the motion. I need a second. Commissioner Thomas said, I seconded the motion. Chairman Hair said, oh, Dr. Thomas. All those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present.] Chairman Hair said, the motion passes. Thank you.

#### **ACTION OF THE BOARD:**

1. Commissioner McMasters moved to create a Greenspace Advisory Committee to be comprised of four appointees from the unincorporated Chatham County, four appointees from the City of Savannah, and one appointee each from Bloomingdale, Pooler, Garden City, Port Wentworth, Tybee Island, Thunderbolt and Vernonburg. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioners Gellatly and Kicklighter were not present.]
2. Commissioner Odell moved to approve the intergovernmental agreement with the municipalities for the greenspace program. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, McMasters, Murray, Odell, Gellatly and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Kicklighter was not present.]
3. Commissioner Odell moved to adopt the resolution for the greenspace application. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

=====

5. **REQUEST BOARD UPHOLD DENIAL OF APPEAL OF R. L. CONSTRUCTION FOR A CHANGE ORDER FOR FINISH PAINTING OF METAL BUILDING STEEL FRAMES AT THE MOSQUITO CONTROL PROJECT. Item was postponed from November 8, 2002, meeting. Note: On November 21, 2002, Ms. Lee asked that this item be removed from the agenda for the time being.**

County Manager Abolt said, the applicant asked for removal to a later time. Chairman Hair said, all right. Without objection, we'll remove that from the agenda.

#### **ACTION OF THE BOARD:**

This item was removed from the agenda at the request of the applicant.

=====

## 6. RESOLUTION OF SUPPORT BY COMMISSION PERTAINING TO OGEECHEE CORRIDOR CRIME PROBLEMS.

Chairman Hair recognized County Manager Abolt.

County Manager Abolt said, I defer to Commissioner Odell. Chairman Hair said, okay. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, there was a resolution in your packets last night, and the Chatham County Police and CNT met at the Chatham County Police Department with approximately 45 or 50 citizens, and we stayed there for an hour and a half discussing the crime problem on Ogeechee and reviewing the plans to eradicate that crime problem. As part of the desire, the constituents wanted a resolution. We have drafted such a resolution. It's in your package. The resolution, in essence, describes the crime problem and offers a resolution, offers a solution to be submitted to the surrounding municipalities. I am authorized to say that Commissioner Kicklighter attended the meeting and that Commissioner Kicklighter's district and Dr. Thomas's district, we all kind of butt there where the problem seems to be and I think that Dean [Kicklighter] supports the resolution. I move approval.

Chairman Hair said, all right. I have a motion to approve the resolution, do I have a second? Commissioner Gellatly said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present.] Chairman Hair said, the motion passes.

Commissioner McMasters asked, could I ask a question. Chairman Hair said, certainly, Commissioner McMasters. Commissioner McMasters said, Harris [Odell], at your meeting last night did you have any municipality participation that is affected? Commissioner Odell said, no. Commissioner McMasters said, I saw you and Dean [Kicklighter] there, but I was just -. I guess it's my day to go after the municipalities, but were they there? Commissioner Odell said, no, they were not there, and let me tell you why they were not there. We did not invite the representatives of -, the nearest one would be Garden City and the City of Savannah. We -, the residents along that Ogeechee corridor were invited and I thought we had an exceptional turnout. What we wanted to do was to address the citizens' concerns. Not only are we going to meet with the municipalities, but we're also going to meet with offending institutions. That is, motels that turn an eye to perhaps crime by way of prostitution, pandering, drug sales that go on in their establishment. We're going to meet with them. This was the first of a series of meetings. I don't have a problem with the municipalities being there, but we did not invite them.

Chairman Hair recognized Commissioner Thomas.

Commissioner Thomas said, I just want to say that I apologize for not being at that meeting last night. I caught stuck in the doctor's office. However, I am aware of the situation and I do support the resolution and look forward to working with the committee.

Chairman Hair said, thank you, Dr. Thomas. The resolution has passed.

### ACTION OF THE BOARD:

Commissioner Odell moved to adopt the resolution pertaining to the Ogeechee corridor crime problems. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

=====

## X. ACTION CALENDAR

(The Board can entertain one motion to adopt the below-listed calendar. Such motion would mean adoption of staff's recommendation. Any Board Member may choose to pull an item from the calendar and it would be considered separately.)

Chairman Hair asked, would anybody like to pull anything off the Action Calendar. Commissioner Rayno said, 7 please. Chairman Hair said, 7, Commissioner Rayno. Commissioner Rayno said, and A. Chairman Hair asked, which one? A? 9-A, Commissioner Rayno? Commissioner Rayno said, yes, please. Chairman Hair recognized Commissioner McMasters. Commissioner McMasters said, 6. Chairman Hair said, 6. Okay, anybody else?

Commissioner Odell said, move for approval of the balance. Chairman Hair asked, do we have a second to approve the balance of the Action Calendar? Commissioner Murray said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present.] Chairman Hair said, the motion passes.

### ACTION OF THE BOARD:

Commissioner Odell moved that the Action Calendar be approved in its entirety with the exception of Items 6, 7 and 9-A. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

[NOTE: ACTION OF THE BOARD IS SHOWN ON EACH ITEM AS THOUGH AN INDIVIDUAL MOTION WAS MADE THEREON.]

=====

**1. APPROVAL OF THE MINUTES OF THE REGULAR MEETING ON NOVEMBER 8, 2002, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the minutes of the regular meeting on November 8, 2002, as mailed. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

=====

**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD OCTOBER 30 THROUGH NOVEMBER 12, 2002.**

**ACTION OF THE BOARD:**

Commissioner Odell moved that the Finance Director is authorized to pay claims for the period October 30, 2002, through November 12, 2002, in the amount of \$1,270,821. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

=====

**3. REQUEST FROM KERN-COLEMAN, ENGINEER FOR THE DEVELOPER, TO RECORD THE SUBDIVISION PLAT FOR BRADLEY POINTE SOUTH SUBDIVISION, PHASE 1A, ACCEPT THE SUBDIVISION AGREEMENT AND FINANCIAL GUARANTEE, AND CREATE A NEW STREETLIGHTING DISTRICT.  
[DISTRICT 6.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the request from Kern-Coleman, engineer for the developer, to record the subdivision plat for Bradley Pointe South Subdivision, Phase 1A, accept the subdivision agreement and financial agreement, and create a new streetlighting district. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

=====

**4. REQUEST FROM THE ENGINEER FOR INTERNATIONAL PAPER REALTY, DEVELOPER, FOR THE COUNTY TO RECORD THE SUBDIVISION PLAT FOR BERWICK PLANTATION, TRACTS F-1, F-2, F-3 AND K-1.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the request from the engineer for International Paper Realty, developer, for the County to record the subdivision plat for Berwick Plantation, Tracts F-1, F-2, F-3 and K-1. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

=====

**5. REQUEST FROM THOMAS & HUTTON, ENGINEER FOR THE DEVELOPER, TO RECORD THE SUBDIVISION PLAT FOR HENDERSON GOLF COMMUNITY, PHASE 3B, APPROVE THE CONSTRUCTED IMPROVEMENTS, INITIATE THE TWELVE-MONTH WARRANTY PERIOD, ACCEPT THE MAINTENANCE AGREEMENT AND FINANCIAL GUARANTEE, AND**

**RECOMBINE THE SUBDIVISION INTO THE EXISTING STREETLIGHTING ASSESSMENT DISTRICT.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the request from Thomas & Hutton, engineer for the developer, to record the subdivision plat for Henderson Golf Community, Phase 3B, approve the constructed improvements, initiate the twelve-month warranty period, accept the maintenance agreement and financial agreement, and recombine the subdivision into the existing streetlighting assessment district. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

=====

**6. REQUEST BOARD DECLARE AS SURPLUS AND OFFER FOR SALE AN UNOPENED SECTION OF RIGHT-OF-WAY OF BRANSBY DRIVE ON ISLE OF HOPE.  
[DISTRICT 4.]**

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, thank you, Mr. Chairman. It says that the County will obtain an appraisal on the property. Mr. Pat Monahan said, correct. Commissioner McMasters asked, who's --, how do you determine who does the appraisal? Mr. Monahan said, well, in the past we've asked the property owner to obtain the services of a certified appraiser, but considering that the Commission has said often times that that's, you know, the buyer should not be getting the appraiser --. Commissioner McMasters said, right. Mr. Monahan said, we've made arrangements for a certified appraiser to take a look at it and give us the value and then that property owner will reimburse us those costs. Commissioner McMasters asked, and how will you --, I mean, typically --, what do you think the value --, just what are we taking about here? Mr. Monahan said, generally in these instances we take the square footage value of the property of the adjoining properties, and this is some expense probably because it's marsh front. Commissioner McMasters said, right. Mr. Monahan said, we calculated first square footage value and then discount that for the fact that it's an easement and not a developable lot.

Chairman Hair said, before you answer that question, I've got a little bit of a procedural question here. If we're going to talk about potential value of properties we're going to offer for bid, that's going to establish some number. I'm not so sure --. Mr. Monahan said, well, this isn't a bid because it's --, this is actually right-of-way. It's handled differently in the right-of-way. Chairman Hair asked, this is out from the remnant? Mr. Monahan said, yes. Under Georgia law, right-of-way is handled differently. Chairman Hair said, okay. I just wanted to make sure that you didn't establish --, I'm sorry, Commissioner McMasters. Mr. Monahan said, but you're just talking procedure of how we establish the value.

Commissioner McMasters said, yeah. I mean, you certainly wouldn't rely on the tax assessment value. Mr. Monahan said, no, we do not. We're going to get a --, probably a level three certified appraiser to take a look at it and make that determination on behalf of the County. Commissioner McMasters asked, well, would it be provident since this is marsh front and fairly valuable? And let me ask this, how much of this goes into our contingency from the sale of this? Chairman Hair said, 50%. Mr. Monahan said, actually all of this, but it's --, you've got to understand, this is an old piece of right-of-way. It's a platted road. The County didn't buy it. The County --, it's just platted and dedicated to public ownership, so we --, our property interest in it is maybe questionable anyway, so --, but we go ahead and follow this procedure of getting it appraised, determining the value and then using that as the basis for the sale. Commissioner McMasters said, well, it's almost a half acre of marsh front. Mr. Monahan said, no, I don't believe so. Commissioner McMasters said, it says here calculated acreage .433. Mr. Monahan said, that I believe --, I'll have to look at that --, that is the property owner's --, well, in order to show you where it was located, I actually took the property owner's --, this little parcel may be like .005. Commissioner McMasters said, I see, you're talking about --. Mr. Monahan said, and that's why I've crossed out the values because that's actually the property owner who contacted the County about it. Chairman Hair said, with the whole half acre. Mr. Monahan said, he is suffering from problems, trespassing, illegal dumping, and if he assumes ownership of it, then that actually resolves our responsibility to go out and having to clean it up every month. Commissioner McMasters said, okay, just would you make a note to please share with me --. Mr. Monahan said, okay. Commissioner McMasters said, what that appraisal comes in for. Mr. Monahan said, yeah. I've got a feeling it's going to be several hundred dollars. If you're looking for a huge number, that's --. Commissioner McMasters said, not the cost of the appraisal, but the value --. Mr. Monahan said, no, I'm talking about the value of the land because when you first count the easement, in the past we have sold these. When you discount the fact that we've got to maintain a drainage easement, we don't necessarily need it, but just to preserve the public's interest in it, we will reserve a drainage easement, by the time you discount the value of the property for that, it can't be developed, it usually comes out several hundred dollars.

Commissioner Odell said, about as big as Russ's desk. Mr. Monahan said, yeah, it's --. It's just a road that happens to go into the marsh and he's looking, as an adjoining property owner, as a way to protect against trespassing.

Commissioner McMasters said, well, if your dashed line indicates where the --. Mr. Monahan said, no, that's --, maybe I should put not to scale. I just kind of dashed it. I didn't measure it. It was just to show you just --, Mr. Abolt insisted

we show you generally where these properties are located so you would have an idea. I don't know that you can use my dashed line as an engineering mark. Commissioner McMasters said, but you've been able to show us what the buyer's property where it lies and it's size. Mr. Monahan said, right. Commissioner McMasters asked, do we not have a survey, do we not know how much land we're talking about here? Mr. Monahan said, no. Commissioner McMasters asked, no? Mr. Monahan said, no. Commissioner McMasters asked, it's as long as a piece of string? Mr. Monahan said, what we'll probably do is the person will go out and take a look at the general area –. [Unintelligible comments were made when several Commissioners began taking at the same time as Mr. Monahan.] Commissioner McMasters said, I'm beginning to come to that conclusion. Mr. Monahan said, – into where the road ends because the road just happens to dead-end at this point, and probably look at the approximate area of high ground and make a determination.

Commissioner Rayno asked, can I suggest we table it and just get the information? Commissioner Odell said, oh, please don't.

Chairman Hair said, no. I'll entertain a motion to approve. Commissioner Odell said, I'll make a motion to approve. Chairman Hair asked, second. Commissioner Murray said, second. Chairman Hair said, we have a motion to approve and a second. Go ahead, Commissioner McMasters.

Commissioner McMasters said, one last question. How is it –, how does it –, did the property owner come to you and ask about it? Mr. Monahan said, yes, sir. Commissioner McMasters said, so he's really interested in it? Mr. Monahan said, yes, sir. Commissioner McMasters asked, he came to you? Mr. Monahan said, yes, sir. Commissioner McMasters said, okay. Mr. Monahan said, came to the County, not to me personally. Commissioner McMasters said, well, I understand that. Mr. Monahan said, he came to the County, yes, sir. Commissioner McMasters said, so it's a couple hundred bucks, huh? Mr. Monahan said, I would say. Commissioner McMasters said, okay.

Chairman Hair said, all those in favor of the motion vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present.] Chairman Hair said, the motion passes. Thank you.

#### **ACTION OF THE BOARD:**

Commissioner Odell moved to declare as surplus an unopened section of right-of-way of Bransby Drive on Isle of Hope and sell the property to the adjoining property owner based on a fair market value appraisal, but subject to retention of an easement for maintenance purposes related to drainage. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

=====

#### **7. REQUEST BOARD APPROVE A PLAN OF ACTION FOR THE REDEVELOPMENT OF THE OLD COUNTY JAIL ON MONTGOMERY STREET, INCLUDING AWARD OF DESIGN/ENGINEERING SERVICES AND FORMAL REQUEST TO THE DEPARTMENT OF CORRECTIONS FOR INMATE LABOR TO BEGIN INTERIOR DEMOLITION. AWARD OF CONTRACT TO ARCHITECTURAL FIRM IS ON PURCHASING AGENDA X-9-C.**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, thank you, Mr. Chairman. Under Facts and Findings, number three, it says: "A 1995 plan, Chatham County Courthouse Master Plan, provides the basis for determining what services would be relocated; however, the age of the plan suggests an update should be completed to ensure it meets current requirements. In addition, the plan should be revisited as part of the overall use of the Courthouse, jail and Courthouse Annex." Now what we're asked to approve here is the beginning of the interior demolition, and to me it seems to be bad procedure to not have an updated plan and know what we're doing before we start going in with sledgehammers and ripping out walls and stuff like that. And the other question I might have is has there been a determination as to the contents of what's inside the walls? For instance, is there asbestos in the walls? County Attorney Hart said, they're steel. Commissioner Rayno said, all right, steel. You looked at the whole building and made sure that there's no hazardous materials inside before we start the demolition? County Manager Abolt said, this was a jail. Commissioner Rayno said, see, the problem of doing demolition without having a plan is the fact that we could find out it doesn't meet current requirements, as you listed in your own facts and findings. So, it seems to me –, I'm more than willing to pay and see –, which we've already approved for an updated plan –, it seems to me once we get the plan, then start the demolition. Mr. Monahan said, that's actually the procedure. It's –, that's the process we'll be following. We're not going to start demolishing it right away. We will update the plan first before we look at any demolition.

County Manager Abolt said, I'd like to thank Commissioner Murray for being the one that really steered us in this direction as far as contacts with the State.

Chairman Hair said, also I'd just like to make a comment, Commissioner Rayno. I understand your concerns, but next to Truman Parkway, this renovation of the jail is about the oldest project left in Chatham County. We've been talking about this thing forever and ever and ever and ever, and every time I go over to the Courthouse the judges and everybody else stop me and want to know what we're going to do on this project, and this –, this has been talked about –. When I came on the Commission in 1997 it was talked about doing it then and it's never been done, so I would hope that we would move forward. I mean, I understand your concerns and we should –, need to address your concerns.

[Unintelligible comments were made when several Commissioners began speaking at the same time.] Chairman Hair said, I would hope that you wouldn't delay the project, that's all I'm saying.

Mr. Monahan said, well, Commissioner Rayno, to answer your question, when the architect completes the update of the master plan, the architect will make a presentation to the Commission. The Commission will actually make the final approval of the reuse of the old jail, so the master plan will take place before any demolition occurs. Commissioner Rayno asked, you promise that? Commissioner Odell said, no. Chairman Hair said, he's on video, Channel 22. We're not going to have any 20-second –. Mr. Monahan said, well, the reason I know that, the Department of Corrections has told us we need to give them six-months notice to plan for the demolition. So, we've got plenty of time to do a master plan until we can get the Department of Corrections interested in assigning an inmate crew here.

Commissioner Murray said, which saves us about 40% of the cost of that. Mr. Monahan said, it saves us quite a bit. I couldn't give you a dollar amount, but it saves us quite a bit.

Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, that was my –. My question is what is the wisdom of using conscript prisoners? Mr. Monahan said, it's cheap. County Manager Abolt said, not only that, it goes with experience in other communities. I've had the experience in other communities that we did this, it's wonderful. [Unintelligible comments when several Commissioners began speaking at the same time.] County Manager Abolt said, not only is –. Commissioner McMasters said, that's kind of my question. I mean, are these guys –, we're going to put tools in the hands of prisoners. Chairman Hair said, Commissioner Murray will answer that. Commissioner Murray said, there's a program the State has, Joe Ferraro is over that for the State Prison System. They go around –, we used them one time, I think, out at the old National Guard Armory where the Tag Office and all is now –. Chairman Hair said, yes, we did. Commissioner Murray said, to do some grass cutting and some other things. I don't know what all they did. They will look at it. They will only do it for governments. They will bring their crews in. They've got skilled labor. They bring them in, they do the job and they do an excellent job with it. It saves –, as an average 40% of your total cost of the job is saved by using this group to do it. They don't bring people in that are murderers and all these other people and just turn them loose to go out there and work. You know, it's pretty restricted –. County Manager Abolt said, it's a miserable job.

Chairman Hair said, Dr. Thomas and then we need a motion. Commissioner McMasters said, I have one more question. Chairman Hair said, okay, Commissioner McMasters.

Commissioner McMasters said, Jon [Hart], you were so quick to say that it's steel in there. County Attorney Hart said, it's going to be a rough job because there's just a tremendous amount of –, the whole interior of that thing is –, you know, the old time steel prison. Commissioner McMasters asked, but do you have specific knowledge that there is no asbestos in the building? County Attorney Hart said, no, not insofar as proof, but insofar as –. Mr. Monahan said, we'll have that tested. That's –, we do that on any project. County Attorney Hart said, – the material walls, there's no interior of your typical construction walls. Mr. Monahan said, we did it in this building. We do it in all of our projects. Commissioner Murray said, I believe asbestos was already outdated before they constructed that.

Chairman Hair said, Dr. Thomas and then Commissioner Odell and then I'll entertain a motion.

Commissioner Thomas said, thank you. Very briefly I just want to say that I do support the plan; however, I am in agreement with Commissioner Rayno in terms of making sure that we have an updated plan and that we look for hazardous materials prior to any demolition and that kind of thing because it would be very important that we do so. I just wanted to go on record.

Chairman Hair said, thank you Dr. Thomas. Chairman Hair recognized Commissioner Odell.

Commissioner Odell said, I think the Effingham County with their jail they used prisoners, and it has been substantial as far as the cost savings, but as Frank [Murray] said, they don't give a guy who just axe murdered a family a sledgehammer. I make a motion that we approve this. Chairman Hair asked, second. Commissioner Murray said, I'll second. Commissioner Odell said, with the understanding that before we tear up anything, Rayno is going to know that we have a plan.

Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present.] Chairman Hair said, the motion passes.

#### **ACTION OF THE BOARD:**

Commissioner Odell moved to approve a plan of action for the redevelopment of the Old County Jail on Montgomery Street, including award of design/engineering services and formal request to the Department of Corrections for inmate labor to begin interior demolition. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

=====

**8. REQUEST BOARD APPROVE THE 2003 HOLIDAY CALENDAR.**

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve the following 2003 Holiday Calendar: New Year's Day - January 1, Martin Luther King, Jr. Day - January 20, George Washington's Birthday (President's Day) - February 17, Memorial Day - May 26, Independence Day - July 4, Labor Day - September 1, Veterans Day - November 11, Thanksgiving (two days) - November 27 and 28, Christmas Eve - December 24, and Christmas Day - December 25. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

=====

**9. REQUEST BOARD APPROVAL TO AWARD BIDS AS FOLLOWS: (Please note that new purchase thresholds of \$10,000 or more have been enacted; however, contracts and change orders of a lesser amount still will appear.)**

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Main hydraulic pump	Public Works	Carlton Company	\$11,990.91	General Fund/M&O - Fleet Inventory
B. Overhauled engine for air tractor	Mosquito Control	Tulsa Aircraft Engines, Inc.	Not to exceed \$65,000	General Fund/M&O - Mosquito Control
C. Contract for design/engineering of "Old" County Jail	Jail Re-Use Project	L. Scott Barnard and Associates	Not to exceed \$81,754	1999 Bond Proceeds

**As to Items 9-B and 9-C:**

Commissioner Odell moved to approve Items 9-B and 9-C. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

\* \* \*

Chairman Hair said, I didn't pull this off because we need to do it, but on 9-B, on the engine for the air tractor --. County Manager Abolt said, yes, sir. Chairman Hair said, you know, Mr. Lewandowski --, Dr. Lewandowski, excuse me, sir, I happen to know a lot about this because this aircraft is housed next my hanger and I see the pilots all the time and so I'm very familiar with this aircraft. Is this to overhaul the radial engine or have we looked at the cost differential between the radial engine and doing the turbine on it because I know we have some safety issues there, we have some legal issues there, and is to overhaul the radial engine? Dr. Lewandowski said, yes, sir. This would give us a radial engine with as many new components as we could possibly get. The --, [inaudible] can get about \$65,000 here. The cost --, the low cost on a V-8 engine that was about \$150,000 and the --. Chairman Hair asked, do you remember what the turbine engine was? Dr. Lewandowski said, the turbine is about \$250,000. I believe it's \$250,000, sir. Chairman Hair said, right. I'm just concerned that we --, that we don't go and overhaul an engine that we're going to have to replace with a turbine down the road here because it's going to be required by the FAA to do it. We're flying in the neighborhood right now in that radial engine and I don't think we're necessarily in compliance with, so we need to be concerned about that. I just wanted to --, we need to do it, but I'm just saying if we --, it might be cost effective for us to look at that versus doing the turbine. Even though it's going to cost us a little bit more money to go ahead and do the turbine to start with and come into compliance with everything even if it cost us another hundred grand or whatever. I'm just saying --, I'd like for the staff just to --, Russ [Abolt], if you would just have Dr. Lewandowski look at that --. County Manager Abolt said, yes, sir. Chairman Hair said, I mean, it's approved to go forward if you --, that's why I didn't want to pull it off. We need to approve it. If y'all decide that's the way you want to go, then fine, but I just wanted to raise that issue because I know the pilot has concerns. If the pilot has concern, I have a concern because I talk to Robbie all the time and he's --.

County Manager Abolt said, you may already be aware of this because of your proximity, but I just sent out a memo to the entire Board last night from Dr. Lewandowski, this airplane has been grounded. So, in fact, we have some serious problems. We have to get to Statesboro. We're cleared to fly it to Statesboro, but that is it.

Chairman Hair said, yeah, and we've also contracted with Steed to do some flying for us in the interim. County Manager Abolt said, yes. Yes, we have. Chairman Hair said, that's already been approved by this Commission.

**As to Item 9-A:**

**Main Hydraulic pump; Public Works; Carlton Company; \$11,990.91; General Fund/M&O - Fleet Inventory.**

Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno asked, is this the same excavator that we just bought this past year? Chairman Hair recognized Mr. Kaigler. Commissioner Rayno asked, or is it a different one? Mr. Michael Kaigler said, it's a different one, sir. Commissioner Rayno said, oh, okay. That was my only question.

Chairman Hair said, I'll entertain a motion to approve. Commissioner Thomas said, move for approval. Chairman Hair asked, second? Commissioner Odell said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

#### **ACTION OF THE BOARD:**

1. Commissioner Odell moved to approve Items 1 through 9-C, except Items 6, 7 and 9-A. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]
2. Commissioner Odell moved to approve Item 6. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]
3. Commissioner Odell moved to approve Item 7. Commissioner Murray seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]
4. Commissioner Thomas moved to approve Item 9-A. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

=====

### **XI. FIRST READINGS**

Proposed changes to ordinances must be read or presented in written form at two meetings held not less than one week apart. A vote on the following listed matters will occur at the next regularly scheduled meeting. Comments, discussion and debate from members of the public will be received only at the meeting at which a vote is to be taken on one of the following listed items.

1. **PETITIONER, JOSEPH ALLEN, AGENT FOR GLADYS WISE, OWNER, REQUESTING APPROVAL OF A SPECIAL USE TO ALLOW A TANNING SALON WITHIN A PUD-IS-B (PLANNED UNIT DEVELOPMENT-INSTITUTIONAL-BUSINESS) ZONING DISTRICT. THE MPC RECOMMENDED DENIAL.  
MPC FILE NO. Z-020916-32698-1  
[DISTRICT 4.]**

#### **ACTION OF THE BOARD:**

Chairman Hair read this item into the record as the first reading.

=====

2. **ZONING TEXT AMENDMENT REQUEST INITIATED BY BOARD OF COMMISSIONERS TO CLARIFY SECTION 4-4.69 OF THE CHATHAM COUNTY ZONING ORDINANCE WITH REFERENCE TO STANDARDS FOR PUD-B ZONING DISTRICTS. MPC will not make its recommendation until Tuesday, the 19<sup>th</sup> of November. Once finalized, the staff report will be forwarded to the Board.**

Chairman Hair said, you have in your packet –, the MPC at its meeting on the 19<sup>th</sup>, the motion –, they approved a motion to postpone consideration of text amendment until a committee formed by the County Commission has another chance to meet and prepare a recommendation to the MPC. It's the wish of the Commission, but we probably we need to just –, not take that off, but not deal with that as a first reading, or unless we want to leave it on there as a first reading and deal with it at the second reading. Is that what the wish of the Commission is? Chairman Hair recognized Commissioner McMasters. Chairman Hair said, we –, because they did ask for postponement. They voted officially to postpone.

Commissioner McMasters said, Mr. Chairman. Chairman Hair said, certainly. Commissioner McMasters said, the reason that I think this was appropriately postponed is the action of this Commission was to create a committee of Ms. Stone, Mr. Newton, the County Attorney, myself and Mr. Nutting, and we held two meetings. The first one was –, I'll give you a quick run-down on it. The first one was very basic and informational and sort of outlined what we perceived to be the task before us as manifest by this Commission. We were then –, set about to schedule the second meeting and Ms. Stone advised that between that first meeting and second meeting the consultants that we're paying this money to would be in town on other work and that we would solicit their input. That input was gathered. We came back to our second meeting and we realized that that input created more questions than answered. That is, we made some progress, but we also opened up a bunch of other questions.

Chairman Hair asked, so it needs to be postponed is what you're saying? Commissioner McMasters said, well, I think a different action is necessary, and the action as I understood it from that second meeting was that a third meeting would then be put together with the County Attorney and all the members of the group that we had selected and then, if necessary, it would go to the MPC. Evidently, someone decided –, I wasn't notified, Mr. Nutting wasn't notified, but evidently this was packaged up real quickly and put on the MPC agenda without us having the benefit of –, I mean, we had very rough information and all of a sudden it solidified, so –. Chairman Hair asked, can I suggest maybe –. Commissioner McMasters said, sure. Chairman Hair said, – something that might work that I think may satisfy all sides here is that because the MPC has officially recommended we postpone it, we take this off as a first reading –. Commissioner Murray said, I agree. Chairman Hair said, – and also that would allow any changes necessary from the MPC process. They also passed a separate motion that the property owners be represented on any committee looking at this, which I think is very appropriate. I mean, if they're going to be impacted by it, they need to have some input at that stage, at the development stage, and that was also a motion passed by the MPC. So, that –, they delivered to us, that the owners of PUD-B zoned property should be part of the text review process and their comments be transmitted to the MPC. Go ahead, Commissioner.

Commissioner McMasters said, I think that they –, the original work of this –, the original action of this Board was to put together a group of five people, which is, I think from your experience, that's a good sized group, and to go ahead and try to improve –, the first mandate was to strike guidelines completely off the PUD page, and I think we're going to a fairly simple refinement until the tri-centennial net or loop encompassed the subject and did an even better job with it. What seemed to occur was more questions were raised and more questions were raised. So by interjecting more people into this at this point is not going to help the process in my opinion, and you can ask the other people that are there that are part of this group.

Chairman Hair said, well, I think you're going to get their input one way or the other. Commissioner McMasters said, yeah, and that's what I said, Dr. Hair. Chairman Hair said, you're going to get their input because they have a right to come to this meeting and speak to anything, and they certainly will get their input in. It just seems to me it would be more appropriate to have the input as it's being developed as opposed to having something set in stone when it comes to us for a vote and then get their input and have to go back and modify it. I mean, it just makes more sense to get their input early in the process.

Commissioner Murray said, let me ask a question on this please. Ms. Stone asked, can I give a clarification first? Chairman Hair recognized Ms. Stone.

Commissioner Rayno said, point of order. It's a first reading. You'd be breaking a policy of allowing public comment. Chairman Hair said, it says quite frankly at the top of the page, Commissioner Rayno, that vote on first reading, presentation by MPC staff and discussion only by Commissioners will be heard. So, we're Commissioners talking here and Ms. Stone is MPC –, that's what it says. Commissioner Rayno said, oh, okay. I'm sorry. Thank you.

Ms. Stone said, I just wanted to clarify exactly what the vote and the motion was. The motion was not to ask the property owners to be part of the committee. It was to have the property owners to be able to express their concerns either with their presence or by another means, memo or, you know, fax or something like that, but that they would be a part of the process, but not members of the committee. Chairman Hair said, that's fine. Ms. Stone said, but just –, I wanted to clarify that so that their input could be heard, but that this was a committee formulated by the Chatham County Commission, not the MPC.

Chairman Hair said, personally I would prefer that we add them to the committee. That would be my preference. I think that's –. Ms. Stone said, and that was part of the motion was that they would be invited to give their input, and if they didn't want to come in person, they could do it in writing. Chairman Hair recognized Commissioner Murray.

Commissioner Murray said, well, I would look at adding somebody at this point to this committee the same way the MPC reacted to our request to put somebody from the Board of Appeals, Zoning Board of Appeals on one of y'all's committees, and my answer would be, "no." Ms. Stone said, well, that was not –. Commissioner Murray said, if y'all want to work with us on some of those, we'll work with y'all on some of them. Ms. Stone said, but it was not to put –, to put anyone on the committee.

Chairman Hair said, but this Commission has the right to do that, Ms. Stone, if it chooses. Ms. Stone said, your Commission does, but ours does not. Chairman Hair said, that's correct, but this Commission formed the committee so if we wanted to add a person –. Ms. Stone said, correct. I mean, you can certainly do that, but it was not within the purview of our Commission to do that. Chairman Hair said, I understand. Ms. Stone said, and that was not the motion and that was not the vote. Chairman Hair said, I understand. Ms. Stone said, I just wanted clarification on that, that we didn't try to alter your committee, but we wanted them to be a part of the process. Chairman Hair said, I understand. Chairman Hair recognized Commissioner McMasters.

Commissioner McMasters said, in point of fact, it took five weeks for this committee to have its first meeting from the action, the resolution that we adopted here. We had two meetings. I would like to suggest that we not rush into anything here and that we go back and schedule –, I think I requested Mr. Newton in my memo that we create a schedule to finish this work so that it can go forward and then the public input from all parties can be had. So I don't know which one of the five of us need to schedule that, but I say schedule it and let's keep the work of the group going so that we can then get all the input that's necessary. Ms. Stone said, I think we were waiting maybe from some –. Commissioner McMasters asked, who's going to take the lead on scheduling that meeting? Mr. Newton said, I have initiated contact with some of the committee members. I've not gotten back with you, but I'll take the responsibility of putting that committee back together as per your request. Commissioner McMasters said, thank you.

Chairman Hair said, okay, so we will remove this from the first reading and then after the committee's work is through and –. Commissioner Murray asked, do we have to have a motion? Chairman Hair said, – I assume there is not enough support up here to add to the committee at this point. That would be my preference but –. Commissioner Murray asked, do we need a motion to table it from the first reading? Chairman Hair said, not really because you actually want to remove it because it's going to be changed probably. So we need to remove it totally. County Attorney Hart said, just not consider it at first reading. Chairman Hair said, otherwise, we would have to go back to first reading anyway. Is that –, anybody else? Chairman Hair recognized Commissioner Rayno.

Commissioner Rayno said, if we're done with this, I'd just like to ask a brief question on number one, if I may. Chairman Hair said, okay, we're finished with that then. Mr. McCorkle, did you want to comment on this?

Mr. Phillip McCorkle said, I didn't want to be on the committee so that's okay with me, but I wanted to point out that in the entire Chatham County there's six PUD-B-N or B-C districts. There are no B-R districts, there are no waterfront districts. There are only six landowners. This is not a comprehensive rezoning. This is a rezoning that will impact six owners who deserve to be notified of each step of the process. There are two owners that have completely developed their property. There are only four people in Chatham County who own property that are going to be impacted potentially by the action of this Board. There's –, my client is well known, there's J. C. Lewis, who owns The Village at The Landings, which is zoned PUD-B-N, 45,000 square feet, and he has over 200,000 square feet and more land to develop. It would have a tremendous impact on him. There's Laurie Abbott, who owns a site at Larchmont, and there's the Whitemore-Smith [phonetic] family who owns a site at Redgate Farms. There's only four of us. To move forward without our participation will probably guarantee delay somewhere else in the process. So I would simply ask that those four people be notified of each committee meeting. It is a public meeting. We have the right to be there and express our views, hear what's going on that will affect our property, and that we be notified, not vote, notified and allowed to attend so that perhaps we can come up with a suggestion that makes some sense to everybody concerned.

Chairman Hair asked, Ms. Stone, can we make sure that happens? Ms. Stone said, yes. Chairman Hair recognized Mr. Lewis.

Mr. Curtis Lewis said, Mr. Chairman and members of the Commission, I am Curtis Lewis. I represent Lewis Broadcasting Corporation, which, as Mr. McCorkle says, is the owner of portions of The Village, which is a PUD out at the –, on Skidaway Island, and I would like to just also request that we at least receive some notice of these public meetings. The first we heard about any of this was Monday, and I suspect that the proposed or the suggested amendments to the ordinance were probably not intended to do what they would in fact do to our property out there, which is essentially make it worthless and undevelopable. But if we could at least be a part of that process or at least have notice of those meetings, we'd be appreciative.

Chairman Hair said, I certainly think that's appropriate. I think –, who would be the most appropriate person to ensure this happens, Ms. Stone? Would it be you or Mr. Newton or –? Who would be the most –? Ms. Stone said, I'm here and the staff is here and we're taking notes. Chairman Hair said, – to make sure all four of those property owners are notified of any meeting and they have a chance to participate. Ms. Stone said, absolutely. Chairman Hair said, it's a public meeting anyway. Thank you very much, Ms. Stone.

#### **ACTION OF THE BOARD:**

This item was removed from the agenda and is not to be considered a first meeting.

=====

## **XII. SECOND READINGS**

- 1. TEXT AMENDMENT TO SECTION 11-2.4 THROUGH SECTION 11-2.7 OF THE CHATHAM COUNTY ZONING ORDINANCE TO REQUIRE THE POSTING OF PROPERTY FOR ZONING MAP AMENDMENTS AND SPECIAL USE REQUESTS PRIOR TO MPC MEETINGS (IN LIEU OF WRITTEN NOTICE TO SURROUNDING PROPERTY OWNERS) AS WELL AS CONSIDERATION OF AN ALTERNATE TEXT AMENDMENT TO AMEND THE NOTIFICATION PROCEDURES TO REQUIRE ADDITIONAL NOTIFICATIONS PRIOR TO THE MPC MEETING AND THE MEETING OF THE BOARD OF COMMISSIONERS AT WHICH SUCH MAP AMENDMENTS AND SPECIAL USE REQUESTS ARE TO BE HEARD.**

Ms. Charlotte Moore said, recently the City adopted its own notification or amendment to notification procedure, and that's been in place for about a month. Staff has experienced some problems with those amendments, and at this time it would seem appropriate perhaps to maybe continue this so we can revisit it with the MPC. We're having problems, for example, currently when a petition goes to the MCP, the property does not have to be noted or posted with a notification. The City now has a requirement that it would be posted at least 45 days before the MPC meeting but no less than 15. There's a concern that if we get the application, the Zoning Administrator has five days in which to get the application to us. We're concerned that the property is going to be posted before we even receive the zoning application, and then we're going to start receiving calls. That's one item that's of a concern. We also have the concern that

applicants are required to –, this would now require that all property owners within a 200-foot radius be notified of the MPC meeting and the County Commission meeting, and it requires the applicant to go get the addresses. Spot checking –, some of the past addresses that I’ve received there have been problems where people are providing physical addresses not mailing addresses, and that seems another area that should be corrected in this ordinance. So perhaps it should go back.

Commissioner Murray asked, should we table it? Chairman Hair said, no –, are you asking –, you’re not asking –, are you asking it to be tabled? Commissioner Murray said, well, I thought you –. Ms. Moore said, well, I –. Chairman Hair said, just continue it. Ms. Moore said, well, no. Actually, I think that the MPC needs to be aware of some of these problems. They are not right now.

Chairman Hair recognized Commissioner Murray for a motion.

Commissioner Murray said, I move that we send this back to the MPC for their consideration. Chairman Hair asked, second? Commissioner Thomas said, second. Chairman Hair said, all those in favor vote yes, opposed vote no. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present.] [NOTE: Commissioners Gellatly and Kicklighter were not present.] Chairman Hair said, the motion passes. Thank you.

**ACTION OF THE BOARD:**

Commissioner Murray moved that this item be send back to the Metropolitan Planning Commission for their consideration. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.] [NOTE: Commissioners Gellatly and Kicklighter were not present.]

=====

**XIII. INFORMATION CALENDAR**

**1. PROGRESS REPORT ON GENERAL FUND CONTINGENCY ACCOUNT - M&O AND THE SPECIAL SERVICE DISTRICT (SEE ATTACHED).**

**ACTION OF THE BOARD:**

A written report was received as information.

=====

**2. LIST OF PURCHASING ITEMS BETWEEN \$2,500 AND \$9,999 (SEE ATTACHED). Note: None for this meeting.**

**ACTION OF THE BOARD:**

None were received for this meeting.

=====

**3. ROADS AND DRAINAGE REPORTS.**

**ACTION OF THE BOARD:**

Written reports were received as information.

=====

**4. STATUS OF PARKS MAINTENANCE BIDS, TYBEE PIER CONCESSION PROPOSALS AND EQUESTRIAN SERVICES.**

**ACTION OF THE BOARD:**

A written report was received as information.

=====

**EXECUTIVE SESSION**

Upon motion being made by Commissioner Rivers, seconded by Commissioner Odell and unanimously approved, the Board recessed at 12:10 p.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:50 p.m.

=====

**ITEMS FROM EXECUTIVE SESSION**

- 1. REQUEST BOARD CONSIDER FORGIVENESS OF MONIES LOANED TO SAVANNAH ECONOMIC DEVELOPMENT AUTHORITY AS PART OF A PUBLIC ROAD FOR FUTURE DEVELOPMENT (JON HART).**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve forgiveness of \$234,000 (\$177,840/M&O, \$56,160/SSD) that was loaned to Savannah Economic Development Authority (SEDA) as part of a public road for future development. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, Odell, Gellatly and Thomas voted in favor of the motion. Commissioners Rayno, McMasters and Murray voted in opposition. The motion carried by a vote of five to three. [NOTE: Commissioner Kicklighter was not present.]

=====

- 2. REQUEST BOARD APPROVE SETTLEMENT OF CHATHAM COUNTY V. 0.221 ACRES OF LAND; ANNA M. BRANCATO, ET AL, CIVIL ACTION NO. CV99-1008-KA, STEPHENSON AVENUE WIDENING PROJECT (JON HART).**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to approve the following settlement of Chatham County v. 0.221 Acres of Land; Anna M. Brancato, et al, Civil Action No. CV99-1008-KA, Stephenson Avenue Widening Project, as follows: Total award of \$275,000, \$35,000 of which will be reimbursed to the County, and payment of \$21,280.93 for fees to Thomas and Hutton and for additional legal fees to finalize land swap with the City of Savannah. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

=====

- 3. REQUEST BOARD APPROVE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE AN AFFIDAVIT THAT THE EXECUTIVE SESSION WAS HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT.**

**ACTION OF THE BOARD:**

Commissioner Rivers moved to authorize the Chairman to execute an affidavit that the Executive Session was held in compliance with the Open Meetings Law. Commissioner Thomas seconded the motion. Chairman Hair and Commissioners Rivers, McMasters, Murray, Odell, Gellatly and Thomas voted in favor of the motion. Commissioner Rayno voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Kicklighter was not present.]

=====

**APPOINTMENTS**

None.

=====

**ADJOURNMENT**

There being no further business to be brought before the Board, Chairman Hair declared the meeting adjourned at 1:05 p.m.

=====

APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2002

\_\_\_\_\_  
DR. BILLY B. HAIR, CHAIRMAN, BOARD OF  
COMMISSIONERS OF CHATHAM COUNTY, GEORGIA

\_\_\_\_\_  
SYBIL E. TILLMAN, COUNTY CLERK